AN

APPEAL

FROM

THE NEW

TO

THE OLD WHIGS.

[PRICE 3 *s.*]

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APPEAL

FROM

THE NEW

TO

THE OLD WHIGS,

IN CONSEQUENCE OF SOME LATE

DISCUSSIONS IN PARLIAMENT,

RELATIVE TO THE

Reflections on the French Revolution.

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MONACENSIS.

AT Mr. Burke's time of life, and in his diſpoſitions, *petere honeſtam dimiſſionem* was all he had to do with his political aſſociates. This boon they have not choſen to grant him. With many expreſſions of good-will, in effect they tell him he has loaded the ſtage too long. They conceive it, tho' an harſh yet a neceſſary office, in full parliament to declare to the preſent age, and to as late a poſterity, as ſhall take any concern in the proceedings of our day, that by one book he has diſgraced the whole tenour of his life.—Thus they diſmiſs their old partner of the war. He is adviſed to retire, whilſt they continue to ſerve the public upon wiſer principles, and under better auſpices.

Whether Diogenes the Cynic was a true philoſopher, cannot eaſily be determined. He has written nothing. But the ſayings of his which are handed down by others, are lively; and may be eaſily and aptly applied on many occaſions by thoſe whoſe wit is not ſo perfect as their memory. This Diogenes (as every one will recollect) was citizen of a little bleak town ſituated on the coaſt of the Euxine, and expoſed to all the buffets of that unhoſpitable ſea. He lived at a great diſtance

from thoſe weather-beaten walls, in eaſe and indolence, and in the midſt of literary leiſure, when he was informed that his townſmen had condemned him to be baniſhed from Sinope; he anſwered coolly, "And I condemn them to live in Sinope."

The gentlemen of the party in which Mr. Burke has always acted, in paſſing upon him the ſentence of retirement *, have done nothing more than to confirm the ſentence which he had long before paſſed upon himſelf. When that retreat was choice, which the tribunal of his peers inflict as puniſhment, it is plain he does not think their ſentence intolerably ſevere. Whether they who are to continue in the Sinope which ſhortly he is to leave, will ſpend the long years which, I hope, remain to them, in a manner more to their ſatisfaction, than he ſhall ſlide down, in ſilence and obſcurity, the ſlope of his declining days, is beſt known to him who meaſures out years, and days, and fortunes.

* News-paper intelligence ought always to be received with ſome degree of caution. I do not know that the following paragraph is founded on any authority; but it comes with an air of authority. The paper is profeſſedly in the intereſt of the modern Whigs, and under their direction. The paragraph is not diſclaimed on their part. It profeſſes to be the deciſion of thoſe whom its author calls "The great and firm body of the Whigs of England." Who are the Whigs of a different compoſition, which the promulgator of the ſentence conſiders as compoſed of fleeting and unſettled particles, I know not, nor whether there be any of that deſcription. The definitive ſentence of "the great and firm body of the Whigs of England" (as this paper gives it out) is as follows:

"The great and firm body of the Whigs of England, true to their "principles, have decided on the diſpute between Mr. Fox and Mr. "Burke; and the former is declared to have maintained the pure doc-"trines by which they are bound together, and upon which they have "invariably acted. The conſequence is, that Mr. Burke retires from "parliament." *Morning Chronicle, May* 12, 1791.

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The quality of the ſentence does not however decide on the juſtice of it. Angry friendſhip is ſometimes as bad as calm enmity. For this reaſon the cold neutrality of abſtract juſtice, is, to a good and clear cauſe, a more deſirable thing than an affection liable to be any way diſturbed. When the trial is by friends, if the deciſion ſhould happen to be favorable, the honor of the acquittal is leſſened; if adverſe, the condemnation is exceedingly embittered. It is aggravated by coming from lips profeſſing friendſhip, and pronouncing judgment with ſorrow and reluctance. Taking in the whole view of life, it is more ſafe to live under the juriſdiction of ſevere but ſteady reaſon, than under the empire of indulgent, but capricious paſſion. It is certainly well for Mr. Burke that there are impartial men in the world. To them I addreſs myſelf, pending the appeal which on his part is made from the living to the dead, from the modern Whigs to the antient.

The gentlemen, who, in the name of the party, have paſſed ſentence on Mr. Burke's book, in the light of literary criticiſm are judges above all challenge. He did not indeed flatter himſelf, that as a writer, he could claim the approbation of men whoſe talents, in his judgment and in the public judgment, approach to prodigies; if ever ſuch perſons ſhould be diſpoſed to eſtimate the merit of a compoſition upon the ſtandard of their own ability.

In their critical cenſure, though Mr. Burke may find himſelf humbled by it as a writer, as a man and as an Engliſhman, he finds matter not only of conſolation, but of pride. He propoſed to convey to a foreign people, not his own ideas, but the prevalent opinions and ſentiments of a nation, renowned for wiſdom, and celebrated in all ages for a well under-

ſtood and well regulated love of freedom. This was the avowed purpoſe of the far greater part of his work. As that work has not been ill received, and as his critics will not only admit but contend, that this reception could not be owing to any excellence in the compoſition capable of perverting the public judgment, it is clear that he is not diſavowed by the nation whoſe ſentiments he had undertaken to deſcribe. His repreſentation is authenticated by the verdict of his country. Had his piece, as a work of ſkill, been thought worthy of commendation, ſome doubt might have been entertained of the cauſe of his ſucceſs. But the matter ſtands exactly as he wiſhes it. He is more happy to have his fidelity in repreſentation recognized by the body of the people, than if he were to be ranked in point of ability (and higher he could not be ranked) with thoſe whoſe critical cenſure he has had the misfortune to incur.

It is not from this part of their deciſion which the author wiſhes an appeal. There are things which touch him more nearly. To abandon them would not argue diffidence in his abilities, but treachery to his cauſe. Had his work been recognized as a pattern for dextrous argument, and powerful eloquence, yet if it tended to eſtabliſh maxims, or to inſpire ſentiments, adverſe to the wiſe and free conſtitution of this kingdom, he would only have cauſe to lament, that it poſſeſſed qualities fitted to perpetuate the memory of his offence. Oblivion would be the only means of his eſcaping the reproaches of poſterity. But, after receiving the common allowance due to the common weakneſs of man, he wiſhes to owe no part of the indulgence of the world to its forgetfulneſs. He is at iſſue with the party, before the preſent, and if ever he can reach it, before the coming, generation.

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The author, ſeveral months previous to his publication, well knew, that two gentlemen, both of them poſſeſſed of the moſt diſtinguiſhed abilities, and of a moſt deciſive authority in the party, had differed with him in one of the moſt material points relative to the French revolution; that is in their opinion of the behaviour of the French ſoldiery, and its revolt from its officers. At the time of their public declaration on this ſubject, he did not imagine the opinion of theſe two gentlemen had extended a great way beyond themſelves. He was however well aware of the great probability, that perſons of their juſt credit and influence would at length diſpoſe the greater number to an agreement with their ſentiments; and perhaps might induce the whole body to a tacit acquieſcence in their declarations, under a natural, and not always an improper, diſlike of ſhewing a difference with thoſe who lead their party. I will not deny, that in general this conduct in parties is defenſible; but within what limits the practice is to be circumſcribed, and with what exceptions the doctrine which ſupports it is to be received, it is not my preſent purpoſe to define. The preſent queſtion has nothing to do with their motives; it only regards the public expreſſion of their ſentiments.

The author is compelled, however reluctantly, to receive the ſentence pronounced upon him in the Houſe of Commons as that of the party. It proceeded from the mouth of him who muſt be regarded as its authentic organ. In a diſcuſſion which continued for two days, no one gentleman of the oppoſition interpoſed a negative, or even a doubt, in favour of him or of his opinions. If an idea conſonant to the doctrine of his book, or favourable to his conduct, lurks in the minds of any perſons in that deſcription, it is to be conſidered only as a peculiarity which they

indulge to their own private liberty of thinking. The author cannot reckon upon it. It has nothing to do with them as members of a party. In their public capacity, in every thing that meets the public ear, or public eye, the body muſt be conſidered as unanimous.

They muſt have been animated with a very warm zeal againſt thoſe opinions, becauſe they were under no *neceſſity* of acting as they did, from any juſt cauſe of apprehenſion that the errors of this writer ſhould be taken for theirs. They might diſapprove; it was not neceſſary they ſhould *diſavow* him, as they have done in the whole, and in all the parts of his book; becauſe neither in the whole nor in any of the parts, were they, directly, or by any implication, involved. The author was known indeed to have been warmly, ſtrenuouſly, and affectionately, againſt all allurements of ambition, and all poſſibility of alienation from pride, or perſonal picque, or peeviſh jealouſy, attached to the Whig party. With one of them he has had a long friendſhip, which he muſt ever remember with a melancholy pleaſure. To the great, real, and amiable virtues, and to the unequalled abilities of that gentleman, he ſhall always join with his country in paying a juſt tribute of applauſe. There are others in that party for whom, without any ſhade of ſorrow, he bears as high a degree of love as can enter into the human heart; and as much veneration as ought to be paid to human creatures; becauſe he firmly believes, that they are endowed with as many and as great virtues, as the nature of man is capable of producing, joined to great clearneſs of intellect, to a juſt judgment, to a wonderful temper, and to true wiſdom. His ſentiments with regard to them can never vary, without ſubjecting him to the juſt indignation of mankind,

kind, who are bound, and are generally diſpoſed, to look up with reverence to the beſt patterns of their ſpecies, and ſuch as give a dignity to the nature of which we all participate. For the whole of the party he has high reſpect. Upon a view indeed of the compoſition of all parties, he finds great ſatisfaction. It is, that in leaving the ſervice of his country, he leaves parliament without all compariſon richer in abilities than he found it. Very ſolid and very brilliant talents diſtinguiſh the miniſterial benches. The oppoſite rows are a ſort of ſeminary of genius, and have brought forth ſuch and ſo great talents as never before (amongſt us at leaſt) have appeared together at any one period. If their owners are diſpoſed to ſerve their country, (he truſts they are) they are in a condition to render it ſervices of the higheſt importance. If, through miſtake or paſſion, they are led to contribute to its ruin, we ſhall at leaſt have a conſolation denied to the ruined country that adjoins us—we ſhall not be deſtroyed by men of mean or ſecondary capacities.

All theſe conſiderations of party attachment, of perſonal regard, and of perſonal admiration, rendered the author of the Reflections extremely cautious, leſt the ſlighteſt ſuſpicion ſhould ariſe of his having undertaken to expreſs the ſentiments even of a ſingle man of that deſcription. His words at the outſet of his Reflections are theſe:

" In the firſt letter I had the honour to write to " you, and which at length I ſend, I wrote neither " *for*, nor *from* any deſcription of men; nor ſhall " I in this. My errors, if any, are *my own*. My " reputation *alone* is to anſwer for them." In another place, he ſays (p. 126.) " I have *no man's* " proxy. I ſpeak *only* from *myſelf*; when I diſclaim, " as I do, with all poſſible earneſtneſs, all commu- " nion with the actors in that triumph, or with the

" admirers of it. When I aſſert any thing elſe, as
" concerning the people of England, I ſpeak from
" obſervation, *not from authority*."

To ſay then, that the book did not contain the ſentiments of their party, is not to contradict the author, or to clear themſelves. If the party had denied his doctrines to be the current opinions of the majority in the nation, they would have put the queſtion on its true iſſue. There, I hope and believe, his cenſurers will find on the trial, that the author is as faithful a repreſentative of the general ſentiment of the people of England, as they can be of the ideas of their own party.

The French Revolution can have no connexion with the objects of any parties in England formed before the period of that event, unleſs they chooſe to imitate any of its acts, or to conſolidate any principles of that revolution with their own opinions. The French revolution is no part of their original contract. The matter, ſtanding by itſelf, is an open ſubject of political diſcuſſion, like all the other revolutions (and there are many) which have been attempted or accompliſhed in our age. But if any conſiderable number of Britiſh ſubjects, taking a factious intereſt in the proceedings of France, begin publicly to incorporate themſelves for the ſubverſion of nothing ſhort of the *whole* conſtitution of this kingdom; to incorporate themſelves for the utter overthrow of the body of its laws, civil and eccleſiaſtical, and with them of the whole ſyſtem of its manners, in favour of the new conſtitution, and of the modern uſages of the French nation, I think no party principle could bind the author not to expreſs his ſentiments ſtrongly againſt ſuch a faction. On the contrary, he was perhaps bound to mark his diſſent, when the leaders of the party were daily going out of their way to make public declarations in

parliament,

parliament, which, notwithſtanding the purity of their intentions, had a tendency to encourage ill-deſigning men in their practices againſt our conſtitution.

The members of this faction leave no doubt of the nature and the extent of the miſchief they mean to produce. They declare it openly and deciſively. Their intentions are not left equivocal. They are put out of all diſpute by the thanks which, formally and as it were officially, they iſſue, in order to recommend, and to promote the circulation of the moſt atrocious and treaſonable libels, againſt all the hitherto cheriſhed objects of the love and veneration of this people. Is it contrary to the duty of a good ſubject, to reprobate ſuch proceedings? Is it alien to the office of a good member of parliament, when ſuch practices encreaſe, when the audacity of the conſpirators grows with their impunity, to point out in his place their evil tendency to the happy conſtitution which he is choſen to guard? Is it wrong in any ſenſe, to render the people of England ſenſible how much they muſt ſuffer if unfortunately ſuch a wicked faction ſhould become poſſeſſed in this country of the ſame power which their allies in the very next to us have ſo perfidiouſly uſurped, and ſo outrageouſly abuſed? Is it inhuman to prevent, if poſſible, the ſpilling of *their* blood, or imprudent to guard againſt the effuſion of *our own?* Is it contrary to any of the honeſt principles of party, or repugnant to any of the known duties of friendſhip for any ſenator, reſpectfully, and amicably, to caution his brother members againſt countenancing by inconſiderate expreſſions a ſort of proceeding which it is impoſſible they ſhould deliberately approve?

He had undertaken to demonſtrate, by arguments which he thought could not be refuted, and by documents, which he was ſure could not be denied,

that no compariſon was to be made between the Britiſh government, and the French uſurpation.—That they who endeavoured madly to compare them, were by no means making the compariſon of one good ſyſtem with another good ſyſtem, which varied only in local and circumſtantial differences; much leſs, that they were holding out to us a ſuperior pattern of legal liberty, which we might ſubſtitute in the place of our old, and, as they deſcribe it, ſuperannuated conſtitution. He meant to demonſtrate, that the French ſcheme was not a comparative good, but a poſitive evil.—That the queſtion did not at all turn, as it had been ſtated, on a parallel between a monarchy and a republic. He denied that the preſent ſcheme of things in France, did at all deſerve the reſpectable name of a republic: he had therefore no compariſon between monarchies and republics to make.—That what was done in France was a wild attempt to methodize anarchy; to perpetuate and fix diſorder.—That it was a foul, impious, monſtrous thing, wholly out of the courſe of moral nature. He undertook to prove, that it was generated in treachery, fraud, falſehood, hypocriſy, and unprovoked murder.—He offered to make out, that thoſe who have led in that buſineſs, had conducted themſelves with the utmoſt perfidy to their colleagues in function, and with the moſt flagrant perjury both towards their king and their conſtituents; to the one of whom the aſſembly had ſworn fealty, and to the other, when under no ſort of violence or conſtraint, they had ſworn a full obedience to inſtructions.—That by the terror of aſſaſſination they had driven away a very great number of the members, ſo as to produce a falſe appearance of a majority.—That this fictitious majority had fabricated a conſtitution, which as now it ſtands, is a tyranny far beyond any example that can be found in the civilized

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European world of our age; that therefore the lovers of it muſt be lovers, not of liberty, but, if they at all underſtand it, of the loweſt and baſeſt of all ſervitude.

He propoſed to prove, that the preſent ſtate of things in France is not a tranſient evil, productive, as ſome have too favourably repreſented it, of a laſting good; but that the preſent evil is only the means of producing future, and (if that were poſſible) worſe evils.—That it is not, an undigeſted, imperfect, and crude ſcheme of liberty, which may gradually be mellowed and ripened into an orderly and ſocial freedom; but that it is ſo fundamentally wrong, as to be utterly incapable of correcting itſelf by any length of time, or of being formed into any mode of polity, of which a member of the houſe of commons could publicly declare his approbation.

If it had been permitted to Mr. Burke, he would have ſhewn diſtinctly, and in detail, that what the aſſembly calling itſelf national, had held out as a large and liberal toleration, is in reality a cruel and inſidious religious perſecution; infinitely more bitter than any which had been heard of within this century.—That it had a feature in it worſe than the old perſecutions.—That the old perſecutors acted, or pretended to act, from zeal towards ſome ſyſtem of piety and virtue: they gave ſtrong preferences to their own; and if they drove people from one religion, they provided for them another, in which men might take refuge, and expect conſolation.—That their new perſecution is not againſt a variety in conſcience, but againſt all conſcience.—That it profeſſes contempt towards its object; and whilſt it treats all religion with ſcorn, is not ſo much as neutral about the modes: It unites the oppoſite evils of intolerance and of indifference.

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He could have proved that it is ſo far from rejecting teſts (as unaccountably had been aſſerted) that the aſſembly had impoſed teſts of a peculiar hardſhip, ariſing from a cruel and premeditated pecuniary fraud: teſts againſt old principles, ſanctioned by the laws, and binding upon the conſcience.—That theſe teſts were not impoſed as titles to ſome new honour or ſome new benefit, but to enable men to hold a poor compenſation for their legal eſtates, of which they had been unjuſtly deprived; and, as they had before been reduced from affluence to indigence, ſo on refuſal to ſwear againſt their conſcience, they are now driven from indigence to famine, and treated with every poſſible degree of outrage, inſult, and inhumanity.—That theſe teſts, which their impoſers well knew would not be taken, were intended for the very purpoſe of cheating their miſerable victims out of the compenſation which the tyrannic impoſtors of the aſſembly had previouſly and purpoſely rendered the public unable to pay. That thus their ultimate violence aroſe from their original fraud.

He would have ſhewn that the univerſal peace and concord amongſt nations, which theſe common enemies to mankind had held out with the ſame fraudulent ends and pretences with which they had uniformly conducted every part of their proceedings, was a coarſe and clumſy deception, unworthy to be propoſed as an example, by an informed and ſagacious Britiſh ſenator, to any other country.—That far from peace and good-will to men, they meditated war againſt all other governments; and propoſed ſyſtematically to excite in them all the very worſt kind of ſeditions, in order to lead to their common deſtruction.—That they had diſcovered, in the few inſtances in which they have hitherto had the power of diſcovering it, (as at Avignon, and in the

the Comtat, at Cavailhon and at Carpentras) in what a ſavage manner they mean to conduct the ſeditions and wars they have planned againſt their neighbours for the ſake of putting themſelves at the head of a confederation of republics as wild and as miſchievous as their own. He would have ſhewn in what manner that wicked ſcheme was carried on in thoſe places, without being directly either owned or diſclaimed, in hopes that the undone people ſhould at length be obliged to fly to their tyrannic protection, as ſome ſort of refuge from their barbarous and treacherous hoſtility. He would have ſhewn from thoſe examples, that neither this nor any other ſociety could be in ſafety as long as ſuch a public enemy was in a condition to continue directly or indirectly ſuch practices againſt its peace.—That Great Britain was a principal object of their machinations; and that they had begun by eſtabliſhing correſpondences, communications, and a ſort of federal union with the factious here.—That no practical enjoyment of a thing ſo imperfect and precarious, as human happineſs muſt be, even under the very beſt of governments, could be a ſecurity for the exiſtence of theſe governments, during the prevalence of the principles of France, propagated from that grand ſchool of every diſorder, and every vice.

He was prepared to ſhew the madneſs of their declaration of the pretended rights of man; the childiſh futility of ſome of their maxims; the groſs and ſtupid abſurdity and palpable falſity of others; and the miſchievous tendency of all ſuch declarations to the wellbeing of men and of citizens, and the ſafety and proſperity of every juſt commonwealth. He was prepared to ſhew that, in their conduct, the aſſembly had directly violated not only every juſt principle of government, but every one, without exception, of their own falſe or futile maxims; and

indeed

indeed every rule they had pretended to lay down for their own direction.

In a word, he was ready to ſhew, that thoſe who could, after ſuch a full and fair expoſure, continue to countenance the French inſanity, were not miſtaken politicians, but bad men; but he thought that in this caſe, as in many others, ignorance had been the cauſe of admiration.

Theſe are ſtrong aſſertions. They required ſtrong proofs. The member who laid down theſe poſitions was and is ready to give, in his place, to each poſition deciſive evidence, correſpondent to the nature and quality of the ſeveral allegations.

In order to judge on the propriety of the interruption given to Mr. Burke, in his ſpeech on the committee of the Quebec bill, it is neceſſary to enquire, firſt, whether, on general principles, Mr. Burke, ought to have been ſuffered to prove his allegations? Secondly, whether the time he had choſen was ſo very unſeaſonable as to make his exerciſe of a parliamentary right productive of ill effects on his friends or his country? Thirdly, whether the opinions delivered in his book, and which he had begun to expatiate upon that day, were in contradiction to his former principles, and inconſiſtent with the tenor of his conduct? They who have made eloquent panegyrics on the French Revolution, and who think a free diſcuſſion ſo very advantageous in every caſe, and under every circumſtance, ought not, in my opinion, to have prevented their eulogies from being tried on the teſt of facts. If their panegyric had been anſwered with an invective (bating the difference in point of eloquence) the one would have been as good as the other: that is, they would both of them have been good for nothing. The panegyric and the ſatire ought to be ſuffered to go to trial; and that

which

which ſhrinks from it, muſt be contented to ſtand at beſt as a mere declamation.

I do not think Mr. Burke was wrong in the courſe he took. That which ſeemed to be recommended to him by Mr. Pitt, was rather to extol the Engliſh conſtitution, than to attack the French. I do not determine what would be beſt for Mr. Pitt to do in his ſituation. I do not deny that *he* may have good reaſons for his reſerve. Perhaps they might have been as good for a ſimilar reſerve on the part of Mr. Fox, if his zeal had ſuffered him to liſten to them. But there were no motives of miniſterial prudence, or of that prudence which ought to guide a man perhaps on the eve of being miniſter, to reſtrain the author of the Reflections. He is in no office under the crown; he is not the organ of any party.

The excellencies of the Britiſh conſtitution had already exerciſed and exhauſted the talents of the beſt thinkers, and the moſt eloquent writers and ſpeakers, that the world ever ſaw. But in the preſent caſe, a ſyſtem declared to be far better, and which certainly is much newer (to reſtleſs and unſtable minds no ſmall recommendation) was held out to the admiration of the good people of England. In that caſe, it was ſurely proper for thoſe, who had far other thoughts of the French conſtitution, to ſcrutinize that plan which has been recommended to our imitation by active and zealous factions, at home and abroad. Our complexion is ſuch that we are palled with enjoyment, and ſtimulated with hope; that we become leſs ſenſible to a long-poſſeſſed benefit, from the very circumſtance that it is become habitual. Specious, untried, ambiguous proſpects of new advantage recommend themſelves to the ſpirit of adventure, which more or leſs prevails in every mind. From this temper, men, and factions, and nations too,

have ſacrificed the good, of which they had been in aſſured poſſeſſion, in favour of wild and irrational expectations. What ſhould hinder Mr. Burke, if he thought this temper likely, at one time or other, to prevail in our country, from expoſing to a multitude, eager to game, the falſe calculations of this lottery of fraud?

I allow, as I ought to do, for the effuſions which come from a *general* zeal for liberty. This is to be indulged, and even to be encouraged, as long as the *queſtion is general.* An orator, above all men, ought to be allowed the full and free uſe of the praiſe of liberty. A common place in favour of ſlavery and tyranny delivered to a popular aſſembly, would indeed be a bold defiance to all the principles of rhetoric. But in a queſtion whether any particular conſtitution is or is not a plan of rational liberty, this kind of rhetorical flouriſh in favour of freedom in general, is ſurely a little out of its place. It is virtually a begging of the queſtion. It is a ſong of triumph, before the battle.

" But Mr. Fox does not make the panegyric of " the new conſtitution; it is the deſtruction only of " the abſolute monarchy he commends." When that nameleſs thing which has been lately ſet up in France was deſcribed as " the moſt ſtupendous and " glorious edifice of liberty, which had been erect- " ed on the foundation of human integrity in " any time or country," it might at firſt, have led the hearer into an opinion, that the conſtruction of the new fabric was an object of admiration, as well as the demolition of the old. The gentleman, however, has explained himſelf; and it would be too like that captious and cavilling ſpirit, which I ſo perfectly deteſt, if I were to pin down the language of an eloquent and ardent mind, to the punctilious exactneſs of a pleader. Then Mr. Fox did not mean to applaud that monſtrous thing,

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which, by the courteſy of France, they call a conſtitution. I eaſily believe it. Far from meriting the praiſes of a great genius like Mr. Fox, it cannot be approved by any man of common ſenſe, or common information. He cannot admire the change of one piece of barbariſm for another, and a worſe. He cannot rejoice at the deſtruction of a monarchy, mitigated by manners, reſpectful to laws and uſages, and attentive, perhaps but too attentive to public opinion, in favour of the tyranny of a licentious, ferocious, and ſavage multitude, without laws, manners, or morals, and which ſo far from reſpecting the general ſenſe of mankind, inſolently endeavours to alter all the principles and opinions, which have hitherto guided and contained the world, and to force them into a conformity to their views and actions. His mind is made to better things.

That a man ſhould rejoice and triumph in the deſtruction of an abſolute monarchy; that in ſuch an event he ſhould overlook the captivity, diſgrace, and degradation of an unfortunate prince, and the continual danger to a life which exiſts only to be endangered; that he ſhould overlook the utter ruin of whole orders and claſſes of men, extending itſelf directly, or in its neareſt conſequences, to at leaſt a million of our kind, and to at leaſt the temporary wretchedneſs of an whole community, I do not deny to be in ſome ſort natural: Becauſe, when people ſee a political object, which they ardently deſire, but in one point of view, they are apt extremely to palliate, or underrate the evils which may ariſe in obtaining it. This is no reflection on the humanity of thoſe perſons. Their good-nature I am the laſt man in the world to diſpute. It only ſhews that they are not ſufficiently informed, or ſufficiently conſiderate. When they come to reflect ſeriouſly on the tranſaction, they will think themſelves bound to examine what that object is that has been acquired by all this havock. They will hardly aſſert

that the deſtruction of an abſolute monarchy, is a thing good in itſelf, without any ſort of reference to the antecedent ſtate of things, or to conſequences which reſult from the change; without any conſideration whether a country was, to a conſiderable degree, flouriſhing and populous, highly cultivated, and highly commercial; and whether, under that domination, though perſonal liberty had been precarious and inſecure, property at leaſt was ever violated. They cannot take the moral ſympathies of the human mind along with them, in abſtractions ſeparated from the good or evil condition of the ſtate, from the quality of actions, and the character of the actors. None of us love abſolute and uncontrolled monarchy—but we could not rejoice at the ſufferings of a Marcus Aurelius, or a Trajan, who were abſolute monarchs, as we do when Nero is condemned by the ſenate to be puniſhed *more majorum:* Nor when that monſter was obliged to fly with his wife Sporus, and to drink puddle, were men affected in the ſame manner, as when the venerable Galba, with all his faults and errors, was murdered by a revolted mercenary ſoldiery? With ſuch things before our eyes our feelings contradict our theories—and when this is the caſe, the feelings are true, and the theory is falſe. All I contend for is, that in commending the deſtruction of an abſolute monarchy, *all the circumſtances* ought not to be wholly overlooked, as conſiderations fit only for ſhallow and ſuperficial minds.

The ſubverſion of a government, to deſerve any praiſe, muſt be conſidered but as a ſtep preparatory to the formation of ſomething better, either in the ſcheme of the government itſelf, or in the perſons who adminiſter in it, or in both. Theſe events cannot in reaſon be ſeparated. For inſtance, when we praiſe our revolution of 1688, though the nation, in that act, was on the defenſive, and was juſtified

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in incurring all the evils of a defenſive war, we do not reſt there. We always combine with the ſubverſion of the old government the happy ſettlement which followed. When we eſtimate that revolution, we mean to comprehend in our calculation both the value of the thing parted with, and the value of the thing received in exchange.

The burthen of proof lies heavily on thoſe who tear to pieces the whole frame and contexture of their country, that they could find no other way of ſettling a government fit to obtain its rational ends, except that which they have purſued by means unfavourable to all the preſent happineſs of millions of people, and to the utter ruin of ſeveral hundreds of thouſands. In their political arrangements, men have no right to put the well-being of the preſent generation wholly out of the queſtion. Perhaps the only moral truſt with any certainty in our hands, is the care of our own time. With regard to futurity, we are to treat it like a ward. We are not ſo to attempt an improvement of his fortune, as to put the capital of his eſtate to any hazard.

It is not worth our while to diſcuſs, like ſophiſters, whether, in no caſe, ſome evil, for the ſake of ſome benefit is to be tolerated. Nothing univerſal can be rationally affirmed on any moral, or any political ſubject. Pure metaphyſical abſtraction does not belong to theſe matters. The lines of morality are not like the ideal lines of mathematics. They are broad and deep as well as long. They admit of exceptions; they demand modifications. Theſe exceptions and modifications are not made by the proceſs of logic, but by the rules of prudence. Prudence is not only the firſt in rank of the virtues political and moral, but ſhe is the director, the regulator, the ſtandard of them all. Metaphyſics cannot live without definition; but prudence is cautious how ſhe defines. Our courts cannot be more

fearful in ſuffering fictitious caſes to be brought before them for eliciting their determination on a point of law, than prudent moraliſts are in putting extreme and hazardous caſes of conſcience upon emergencies not exiſting. Without attempting therefore to define, what never can be defined, the caſe of a revolution in government, this, I think, may be ſafely affirmed, that a ſore and preſſing evil is to be removed, and that a good, great in its amount, and unequivocal in its nature, muſt be probable almoſt to certainty, before the ineſtimable price of our own morals, and the well-being of a number of our fellow-citizens, is paid for a revolution. If ever we ought to be œconomiſts even to parſimony, it is in the voluntary production of evil. Every revolution contains in it ſomething of evil.

It muſt always be, to thoſe who are the greateſt amateurs, or even profeſſors of revolutions, a matter very hard to prove, whether the late French government was ſo bad, that nothing worſe, in the infinite devices of men, could come in its place. They who have brought France to its preſent condition ought to prove alſo, by ſomething better than prattling about the Baſtile, that their ſubverted government was as incapable, as the preſent certainly is, of all improvement and correction. How dare they to ſay ſo who have never made that experiment? They are experimentors by their trade. They have made an hundred others, infinitely more hazardous.

The Engliſh admirers of the forty-eight thouſand republics which form the French federation, praiſe them not for what they are, but for what they are to become. They do not talk as politicians but as prophets. But in whatever character they chooſe to found panegyric on prediction, it will be thought a little ſingular to praiſe any work, not for its own merits, but for the merits of ſomething elſe which

may ſucceed to it. When any political inſtitution is praiſed, in ſpite of great and prominent faults of every kind, and in all its parts, it muſt be ſuppoſed to have ſomething excellent in its fundamental principles. It muſt be ſhewn that it is right though imperfect; that it is not only by poſſibility ſuſceptible of improvement, but that it contains in it a principle tending to its melioration.

Before they attempt to ſhew this progreſſion of their favourite work, from abſolute pravity to finiſhed perfection, they will find themſelves engaged in a civil war with thoſe whoſe cauſe they maintain. What! alter our ſublime conſtitution, the glory of France, the envy of the world, the pattern for mankind, the maſter-piece of legiſlation, the collected and concentrated glory of this enlightened age! Have we not produced it ready made and ready armed, mature in its birth, a perfect goddeſs of wiſdom and of war, hammered by our blackſmith midwives out of the brain of Jupiter himſelf? Have we not ſworn our devout, profane, believing, infidel people, to an allegiance to this goddeſs, even before ſhe had burſt the *dura mater*, and as yet exiſted only in embryo? Have we not ſolemnly declared this conſtitution unalterable by any future legiſlature? Have we not bound it on poſterity for ever, though our abettors have declared that no one generation is competent to bind another? Have we not obliged the members of every future aſſembly to qualify themſelves for their ſeats by ſwearing to its conſervation?

Indeed the French conſtitution always muſt (if they do not change all their principles and fundamental arrangements) be a government wholly by popular repreſentation. It muſt be this or nothing. The French faction conſiders as an uſurpation, as an atrocious violation of the indefeaſible rights of man, every other deſcription of government. Take it

or leave it; there is no medium. Let the irrefragable doctors fight out their own controverſy in their own way, and with their own weapons; and when they are tired let them commence a treaty of peace. Let the plenipotentiary ſophiſters of England ſettle with the diplomatic ſophiſters of France in what manner right is to be corrected by an infuſion of wrong, and how truth may be rendered more true by a due intermixture of falſhood.

Having ſufficiently proved, that nothing could make it *generally* improper for Mr. Burke to prove what he had alledged concerning the object of this diſpute, I paſs to the ſecond queſtion, that is, whether Mr. Burke was juſtified in chooſing the committee on the Quebec bill as the field for this diſcuſſion? If it were neceſſary, it might be ſhewn, that Mr. Burke was not the firſt to bring theſe diſcuſſions into parliament, nor the firſt to renew them in this ſeſſion. The fact is notorious. As to the Quebec bill, they were introduced there for two plain reaſons; firſt, that as he thought it *then* not adviſeable to make the proceedings of the factious ſocieties the ſubject of a direct motion, he had no other way open to him. Nobody has attempted to ſhew, that it was at all admiſſible into any other buſineſs before the houſe. Here every thing was favourable. Here was a bill to form a new conſtitution for a French province under Engliſh dominion. The queſtion naturally aroſe, whether we ſhould ſettle that conſtitution upon Engliſh ideas, or upon French. This furniſhed an opportunity for examining into the value of the French conſtitution, either conſidered as applicable to colonial government, or in its own nature. The bill too was in a committee. By the privilege of ſpeaking as often as he pleaſed, he hoped in ſome meaſure to ſupply the want of ſupport, which he had but too much reaſon to apprehend. In a committee it was always in his power to bring

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the queſtions from generalities to facts; from declamation to diſcuſſion. Some benefit he actually found from this privilege. Theſe are plain, obvious, natural reaſons for his conduct. I believe they are the true, and the only true ones.

They who juſtify the frequent interruptions, which at length wholly diſabled him from proceeding, attribute their conduct to a very different interpretation of his motives. They ſay, that through corruption, or malice, or folly, he was acting his part in a plot to make his friend Mr. Fox paſs for a republican; and thereby to prevent the gracious intentions of his ſovereign from taking effect, which at that time had began to diſcloſe themſelves in his favour *. This is

* To explain this, it will be neceſſary to advert to a paragraph which appeared in a paper in the minority intereſt ſome time before this debate. "A very dark intrigue has lately been "diſcovered, the authors of which are well known to us; but "until the glorious day ſhall come, when it will not be a "LIBEL to tell the TRUTH, we muſt not be ſo regardleſs of "our own ſafety, as to publiſh their names. We will, however, ſtate the fact, leaving it to the ingenuity of our readers "to diſcover what we dare not publiſh.

"Since the buſineſs of the armament againſt Ruſſia has been "under diſcuſſion, a great perſonage has been heard to ſay, "that "he was not ſo wedded to Mr. PITT, as not to be very willing "to give his confidence to Mr. Fox, if the latter ſhould be "able, in a criſis like the preſent, to conduct the government "of the country with greater advantage to the public."

"This patriotic declaration immediately alarmed the ſwarm "of courtly inſects that live only in the ſunſhine of miniſterial "favour. It was thought to be the forerunner of the diſmiſ-"ſion of Mr. PITT, and every engine was ſet at work for the "purpoſe of preventing ſuch an event. The principle engine "employed on this occaſion, was CALUMNY. It was whiſ-"pered in the ear of a great perſonage, that Mr. Fox was the "laſt man in England to be truſted by a KING, becauſe he "was by PRINCIPLE a REPUBLICAN, and conſequently an "enemy to MONARCHY.

"In the diſcuſſion of the Quebec bill which ſtood for yeſter-"day, it was the intention of ſome perſons to connect with this "ſubject the French Revolution, in hopes that Mr. Fox would "be warmed by a colliſion with Mr. Burke, and induced to de-

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is a pretty ſerious charge. This, on Mr. Burke's part, would be ſomething more than miſtake; ſomething worſe than formal irregularity. Any contumely, any outrage is readily paſſed over, by the indulgence which we all owe to ſudden paſſion. Theſe things are ſoon forgot upon occaſions in which all men are ſo apt to forget themſelves. Deliberate injuries, to a degree muſt be remembered, becauſe they require deliberate precautions to be ſecured againſt their return.

I am authorized to ſay for Mr. Burke, that he conſiders that cauſe aſſigned for the outrage offered to him, as ten times worſe than the outrage itſelf. There is ſuch a ſtrange confuſion of ideas on this ſubject, that it is far more difficult to underſtand the nature of the charge, than to refute it when underſtood. Mr. Fox's friends were, it ſeems, ſeized with a ſudden panic terror leſt he ſhould

" fend that revolution in which ſo much power was taken
" from, and ſo little left in, the crown.

" Had Mr. Fox fallen into the ſnare, his ſpeech on the occa-
" ſion would have been laid before a great perſonage, as a
" proof that a man who could defend ſuch a revolution, might
" be a very good republican, but could not poſſibly be a friend
" to monarchy.

" But thoſe who laid the ſnare were diſappointed; for Mr.
" Fox, in the ſhort converſation which took place yeſterday in
" the houſe of commons ſaid, that he confeſſedly had thought
" favorably of the French revolution; but that moſt certainly
" he never had, either in parliament or out of parliament, pro-
" feſſed or defended republican principles."

Argus, April 22d, 1791.

Mr. Burke cannot anſwer for the truth, nor prove the falſehood of the ſtory given by the friends of the party in this paper. He only knows that an opinion of its being well or ill authenticated had no influence on his conduct. He meant only, to the beſt of his power, to guard the public againſt the ill deſigns of factions out of doors. What Mr. Burke did in parliament could hardly have been intended to draw Mr. Fox into any declarations unfavourable to his principles, ſince (by the account of thoſe who are his friends) he had long before effectually prevented the ſucceſs of any ſuch ſcandalous deſigns; they have themſelves done away that imputation on Mr. Burke.

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paſs for a republican. I do not think they had any ground for this apprehenſion. But let us admit they had. What was there in the Quebec bill, rather than in any other, which could ſubject him or them to that imputation? Nothing in a diſcuſſion of the French conſtitution, which might ariſe on the Quebec bill, could tend to make Mr. Fox paſs for a republican; except he ſhould take occaſion to extol that ſtate of things in France, which affects to be a republic or a confederacy of republics. If ſuch an encomium could make any unfavourable impreſſion on the king's mind, ſurely his voluntary panegyrics on that event, not ſo much introduced as intruded into other debates, with which they had little relation, muſt have produced that effect with much more certainty, and much greater force. The Quebec bill, at worſt, was only one of thoſe opportunities, carefully ſought, and induſtriouſly improved by himſelf. Mr. Sheridan had already brought forth a panegyric on the French ſyſtem in a ſtill higher ſtrain, with full as little demand from the nature of the buſineſs before the houſe, in a ſpeech too good to be ſpeedily forgotten. Mr. Fox followed him without any direct call from the ſubject matter, and upon the ſame ground. To canvaſs the merits of the French conſtitution on the Quebec bill could not draw forth any opinions which were not brought forward before, with no ſmall oſtentation, and with very little of neceſſity, or perhaps of propriety. What mode, or what time of diſcuſſing the conduct of the French faction in England would not equally tend to kindle this enthuſiaſm, and afford thoſe occaſions for panegyric, which, far from ſhunning, Mr. Fox has always induſtriouſly ſought? He himſelf ſaid very truly, in the debate, that no artifices were neceſſary to draw from him his opinions upon that ſubject. But to fall upon Mr. Burke for making an uſe, at worſt

not more irregular, of the ſame liberty, is tantamount to a plain declaration, that the topic of France is *tabooed* or forbidden ground to Mr. Burke, and to Mr. Burke alone. But ſurely Mr. Fox is not a republican; and what ſhould hinder him, when ſuch a diſcuſſion came on, from clearing himſelf unequivocally (as his friends ſay he had done near a fortnight before) of all ſuch imputations? Inſtead of being a diſadvantage to him, he would have defeated all his enemies, and Mr. Burke, ſince he has thought proper to reckon him amongſt them.

But it ſeems, ſome news-paper or other had imputed to him republican principles, on occaſion of his conduct upon the Quebec bill. Suppoſing Mr. Burke to have ſeen theſe news-papers (which is to ſuppoſe more than I believe to be true) I would aſk, when did the news-papers forbear to charge Mr. Fox, or Mr. Burke himſelf, with republican principles, or any other principles which they thought could render both of them odious, ſometimes to one deſcription of people, ſometimes to another. Mr. Burke, ſince the publication of his pamphlet, has been a thouſand times charged in the news-papers with holding deſpotic principles. He could not enjoy one moment of domeſtic quiet, he could not perform the leaſt particle of public duty, if he did not altogether diſregard the language of thoſe libels. But however his ſenſibility might be affected by ſuch abuſe, it would in *him* have been thought a moſt ridiculous reaſon for ſhutting up the mouths of Mr. Fox, or Mr. Sheridan, ſo as to prevent their delivering their ſentiments of the French revolution,—that forſooth, " the news-papers had lately charged Mr. " Burke with being an enemy to liberty."

I allow that thoſe gentlemen have privileges to which Mr. Burke has no claim. But their friends ought to plead thoſe privileges; and not to aſſign bad

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reaſons, on the principle of what is fair between man and man, and thereby to put themſelves on a level with thoſe who can ſo eaſily refute them. Let them ſay at once that his reputation is of no value, and that he has no call to aſſert it; but that theirs is of infinite concern to the party and the public; and to that conſideration he ought to ſacrifice all his opinions, and all his feelings.

In that language I ſhould hear a ſtyle correſpondent to the proceeding; lofty, indeed, but plain and conſiſtent. Admit, however, for a moment, and merely for argument, that this gentleman had as good a right to continue as they had to begin theſe diſcuſſions, in candour and equity they muſt allow that their voluntary deſcant in praiſe of the French conſtitution was as much an oblique attack on Mr. Burke, as Mr. Burke's enquiry into the foundation of this encomium could poſſibly be conſtrued into an imputation upon them. They well knew, that he felt like other men; and of courſe he would think it mean and unworthy, to decline aſſerting in his place, and in the front of able adverſaries, the principles of what he had penned in his cloſet, without an opponent before him. They could not but be convinced, that declamations of this kind would rouze him; that he muſt think that coming from men of their *calibre*, they were highly miſchievous; that they gave countenance to bad men, and bad deſigns; and, though he was aware that the handling ſuch matters in parliament was delicate, yet he was a man very likely, whenever much againſt his will they were brought there, to reſolve that there they ſhould be thoroughly ſifted. Mr. Fox, early in the preceding ſeſſion, had public notice from Mr. Burke of the light in which he conſidered every attempt to introduce the example of France into the politics of this country; and of his reſolution to break with his beſt friends,

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and to join with his worſt enemies to prevent it. He hoped, that no ſuch neceſſity would ever exiſt. But in caſe it ſhould, his determination was made. The party knew perfectly that he would at leaſt defend himſelf. He never intended to attack Mr. Fox, nor did he attack him directly or indirectly. His ſpeech kept to its matter. No perſonality was employed even in the remoteſt alluſion. He never did impute to that gentleman any republican principles, or any other bad principles or bad conduct whatſoever. It was far from his words; it was far from his heart. It muſt be remembered, that notwithſtanding Mr. Fox, in order to fix on Mr. Burke an unjuſtifiable change of opinion, and the foul crime of teaching a ſet of maxims to a boy, and afterwards, when theſe maxims became adult in his mature age, of abandoning both the diſciple and the doctrine, Mr. Burke never attempted, in any one particular, either to criminate or to recriminate. It may be ſaid, that he had nothing of the kind in his power. This he does not controvert. He certainly had it not in his inclination. That gentleman had as little ground for the charges which he was ſo eaſily provoked to make upon him.

The gentlemen of the party (I include Mr. Fox) have been kind enough to conſider the diſpute brought on by this buſineſs, and their conſequent ſeparation of Mr. Burke from their corps, as a matter of regret and uneaſineſs. I cannot be of opinion, that by his excluſion they have had any loſs at all. A man whoſe opinions are ſo very adverſe to theirs, adverſe, as it was expreſſed, "as "pole to pole," ſo miſchievouſly as well as ſo directly adverſe, that they found themſelves under the neceſſity of ſolemnly diſclaiming them in full parliament, ſuch a man muſt ever be to them a moſt unſeemly and unprofitable incumbrance. A co-operation with him could only ſerve to embarraſs them in

all

all their councils. They have beſides publickly repreſented him as a man capable of abuſing the docility and confidence of ingenuous youth; and, for a bad reaſon, or for no reaſon, of diſgracing his whole public life by a ſcandalous contradiction of every one of his own acts, writings, and declarations. If theſe charges be true, their excluſion of ſuch a perſon from their body is a circumſtance which does equal honour to their juſtice and their prudence. If they expreſs a degree of ſenſibility in being obliged to execute this wiſe and juſt ſentence, from a conſideration of ſome amiable or ſome pleaſant qualities which in his private life their former friend may happen to poſſeſs, they add, to the praiſe of their wiſdom and firmneſs, the merit of great tenderneſs of heart, and humanity of diſpoſition.

On their ideas, the new Whig party have, in my opinion, acted as became them. The author of the Reflections, however, on his part, cannot, without great ſhame to himſelf, and without entailing everlaſting diſgrace on his poſterity, admit the truth or juſtice of the charges which have been made upon him; or allow that he has in thoſe Reflections diſcovered any principles to which honeſt men are bound to declare, not a ſhade or two of diſſent, but a total fundamental oppoſition. He muſt believe, if he does not mean wilfully to abandon his cauſe and his reputation, that principles fundamentally at variance with thoſe of his book, are fundamentally falſe. What thoſe principles, the antipodes to his, really are, he can only diſcover from that contrariety. He is very unwilling to ſuppoſe, that the doctrines of ſome books lately circulated are the principles of the party; though, from the vehement declarations againſt his opinions, he is at ſome loſs how to judge otherwiſe.

For the preſent, my plan does not render it neceſſary to ſay any thing further concerning the merits

rits either of the one ſet of opinions or the other. The author would have diſcuſſed the merits of both in his place, but he was not permitted to do ſo.

I paſs to the next head of charge, Mr. Burke's inconſiſtency. It is certainly a great aggravation of the fault of embracing falſe opinions, that in doing ſo, in his caſe, he is not ſuppoſed to fill up a void, but that he is guilty of a dereliction of opinions that are true and laudable. This is the great gift of the charge againſt him. It is not ſo much that he is wrong in his book (that however is alledged alſo) as that he has therein belyed his whole life. I believe (if he could venture to value himſelf upon any thing) it is on the virtue of conſiſtency that he would value himſelf the moſt. Strip him of this, and you leave him naked indeed.

In the caſe of any man who had written ſomething, and ſpoken a great deal, upon very multifarious matter, during upwards of twenty-five years public ſervice, and in as great a variety of important events as perhaps have ever happened in the ſame number of years, it would appear a little hard, in order to charge ſuch a man with inconſiſtency, to ſee collected by his friend, a ſort of digeſt of his ſayings, even to ſuch as were merely ſportive and jocular. This digeſt, however, has been made, with equal pains and partiality, and without bringing out thoſe paſſages of his writings which might tend to ſhew with what reſtrictions any expreſſions, quoted from him, ought to have been underſtood. From a great ſtateſman he did not quite expect this mode of inquiſition. If it only appeared in the works of common pamphleteers, Mr. Burke might ſafely truſt to his reputation. When thus urged, he ought, perhaps, to do a little more. It ſhall be as little as poſſible, for I hope not much is wanting. To be totally ſilent on his

charges

charges would not be reſpectful to Mr. Fox. Accuſations ſometimes derive a weight from the perſons who make them, to which they are not entitled from their matter.

He that thinks that the Britiſh conſtitution ought to conſiſt of the three members, of three very different natures, of which it does actually conſiſt, and thinks it his duty to preſerve each of thoſe members in its proper place, and with its proper proportion of power, muſt (as each ſhall happen to be attacked) vindicate the three ſeveral parts on the ſeveral principles peculiarly belonging to them. He cannot aſſert the democratic part on the principles on which monarchy is ſupported; nor can he ſupport monarchy on the principles of democracy; nor can he maintain ariſtocracy on the grounds of the one or of the other, or of both. All theſe he muſt ſupport on grounds that are totally different, though practically they may be, and happily with us they are, brought into one harmonious body. A man could not be conſiſtent in defending ſuch various, and, at firſt view, diſcordant parts of a mixed conſtitution, without that ſort of inconſiſtency with which Mr. Burke ſtands charged.

As any one of the great members of this conſtitution happen to be endangered, he that is a friend to all of them chooſes and preſſes the topics neceſſary for the ſupport of the part attacked, with all the ſtrength, the earneſtneſs, the vehemence, with all the power of ſtating, of argument, and of colouring, which he happens to poſſeſs, and which the caſe demands. He is not to embarraſs the minds of his hearers, or to encumber, or overlay his ſpeech, by bringing into view at once (as if he were reading an academic lecture) all that may and ought, when a juſt occaſion preſents itſelf, to be ſaid in favour of the other members. At that time they are out of the court; there is no queſtion concerning them.

Whilſt he oppoſes his defence on the part where the attack is made, he preſumes, that for his regard to the juſt rights of all the reſt, he has credit in every candid mind. He ought not to apprehend, that his raiſing fences about popular privileges this day, will infer that he ought, on the next, to concur with thoſe who would pull down the throne: becauſe on the next he defends the throne, it ought not to be ſuppoſed that he has abandoned the rights of the people.

A man who, among various objects of his equal regard, is ſecure of ſome, and full of anxiety for the fate of others, is apt to go to much greater lengths in his preference of the objects of his immediate ſolicitude than Mr. Burke has ever done. A man ſo circumſtanced often ſeems to undervalue, to vilify, almoſt to reprobate and diſown, thoſe that are out of danger. This is the voice of nature and truth, and not of inconſiſtency and falſe pretence. The danger of any thing very dear to us, removes, for the moment, every other affection from the mind. When Priam had his whole thoughts employed on the body of his Hector, he repels with indignation, and drives from him with a thouſand reproaches, his ſurviving ſons, who with an officious piety crouded about him to offer their aſſiſtance. A good critic (there is no better than Mr. Fox) would ſay, that this is a maſter-ſtroke, and marks a deep underſtanding of nature in the father of poetry. He would deſpiſe a Zoilus, who would conclude from this paſſage that Homer meant to repreſent this man of affliction as hating or being indifferent and cold in his affections to the poor reliques of his houſe, or that he preferred a dead carcaſe to his living children.

Mr. Burke does not ſtand in need of an allowance of this kind, which, if he did, by candid critics ought to be granted to him. If the principles of a mixed

conſtitution

conſtitution be admitted, he wants no more to juſtify to conſiſtency every thing he has ſaid and done during the courſe of a political life juſt touching to its cloſe. I believe that gentleman has kept himſelf more clear of running into the faſhion of wild viſionary theories, or of ſeeking popularity through every means, than any man perhaps ever did in the ſame ſituation.

He was the firſt man who, on the huſtings, at a popular election, rejected the authority of inſtructions from conſtituents; or who, in any place, has argued ſo fully againſt it. Perhaps the diſcredit into which that doctrine of compulſive inſtructions under our conſtitution is ſince fallen, may be due, in a great degree, to his oppoſing himſelf to it in that manner, and on that occaſion.

The reforms in repreſentation, and the bills for ſhortening the duration of parliaments, he uniformly and ſteadily oppoſed for many years together, in contradiction to many of his beſt friends. Theſe friends, however, in his better days, when they had more to hope from his ſervice and more to fear from his loſs than now they have, never choſe to find any inconſiſtency between his acts and expreſſions in favour of liberty, and his votes on thoſe queſtions. But there is a time for all things.

Againſt the opinion of many friends, even againſt the ſolicitation of ſome of them, he oppoſed thoſe of the church clergy, who had petitioned the Houſe of Commons to be diſcharged from the ſubſcription. Although he ſupported the diſſenters in their petition for the indulgence which he had refuſed to the clergy of the eſtabliſhed church, in this, as he was not guilty of it, ſo he was not reproached with inconſiſtency. At the ſame time he promoted, and againſt the wiſh of ſeveral, the clauſe that gave the diſſenting teachers another ſubſcription in the

place of that which was then taken away. Neither at that time was reproach of inconſiſtency brought againſt him. People could then diſtinguiſh between a difference in conduct, under a variation of circumſtances, and an inconſiſtency in principle. It was not then thought neceſſary to be freed of him as of an incumbrance.

Theſe inſtances, a few among many, are produced as an anſwer to the inſinuation of his having purſued high popular courſes, which in his late book he has abandoned. Perhaps in his whole life he has never omitted a fair occaſion, with whatever riſque to him of obloquy as an individual, with whatever detriment to his intereſt as a member of oppoſition, to aſſert the very ſame doctrines which appear in that book. He told the Houſe, upon an important occaſion, and pretty early in his ſervice, that " being warned by the ill effect " of a contrary procedure in great examples, he " had taken his ideas of liberty very low; in order " that they ſhould ſtick to him, and that he might " ſtick to them to the end of his life."

At popular elections the moſt rigorous caſuiſts will remit a little of their ſeverity. They will allow to a candidate ſome unqualified effuſions in favour of freedom, without binding him to adhere to them in their utmoſt extent. But Mr. Burke put a more ſtrict rule upon himſelf than moſt moraliſts would put upon others. At his firſt offering himſelf to Briſtol, where he was almoſt ſure he ſhould not obtain, on that or any occaſion, a ſingle Tory vote, (in fact he did obtain but one) and reſted wholly on the Whig intereſt, he thought himſelf bound to tell to the electors, both before and after his election, exactly what a repreſentative they had to expect in him.

" The *diſtinguiſhing* part of our conſtitution (he " ſaid)

" ſaid) is its liberty. To preſerve that liberty in-
" violate, is the *peculiar* duty and *proper* truſt of a
" member of the houſe of commons. But the li-
" berty, the *only* liberty I mean, is a liberty con-
" nected with *order*, and that not only exiſts *with*
" order and virtue, but cannot exiſt at all *without*
" them. It inheres in good and ſteady govern-
" ment, as in *its ſubſtance and vital principle.*"

The liberty to which Mr. Burke declared himſelf attached, is not French liberty. That liberty is nothing but the rein given to vice and confuſion. Mr. Burke was then, as he was at the writing of his Reflections, awfully impreſſed with the difficulties ariſing from the complex ſtate of our conſtitution and our empire, and that it might require, in different emergencies different ſorts of exertions, and the ſucceſſive call upon all the various principles which uphold and juſtify it. This will appear from what he ſaid at the cloſe of the poll.—

" To be a good member of parliament is, let me
" tell you, no eaſy taſk; eſpecially at this time,
" when there is ſo ſtrong a diſpoſition to run into
" the perilous extremes of *ſervile* compliance, *or*
" *wild popularity*. To unite circumſpection with
" vigour, is abſolutely neceſſary; but it is extreme-
" ly difficult. We are now members for a rich
" commercial *city*; this city, however, is but a part
" of a rich commercial *nation*, the intereſts of which
" are *various, multiform, and intricate*. We are
" members for that great *nation* which, however, is
" itſelf but part of a great *empire*, extended by our
" virtue and our fortune to the fartheſt limits of
" the eaſt and of the weſt. *All* theſe wide-ſpread
" intereſts muſt be *conſidered*; muſt be *compared*;
" muſt be *reconciled*, if poſſible. We are members
" for a *free* country; and ſurely we all know that
" the machine of a free conſtitution is no *ſimple*

" thing; but as *intricate* and as *delicate*, as it is
" valuable. We are members in a *great and an-*
" *tient* MONARCHY; *and we muſt preſerve religiouſly*
" *the true legal rights of the ſovereign, which form the*
" *key-ſtone that binds together the noble and well-*
" *conſtructed arch of our empire and our conſtitution.*
" A conſtitution made up of *balanced powers*, muſt
" ever be a critical thing. As ſuch I mean to touch
" that part of it which comes within my reach."

In this manner Mr. Burke ſpoke to his conſtituents ſeventeen years ago. He ſpoke, not like a partizan of one particular member of our conſtitution, but as a perſon ſtrongly, and on principle, attached to them all. He thought theſe great and eſſential members ought to be preſerved, and preſerved each in its place; and that the monarchy ought not only to be ſecured in its peculiar exiſtence, but in its pre-eminence too, as the preſiding and connecting principle of the whole. Let it be conſidered, whether the language of his book, printed in 1790, differs from his ſpeech at Briſtol in 1774.

With equal juſtice his opinions on the American war are introduced, as if in his late work he had belied his conduct and opinions in the debates which aroſe upon that great event. On the American war he never had any opinions which he has ſeen occaſion to retract, or which he has ever retracted. He indeed differs eſſentially from Mr. Fox as to the cauſe of that war. Mr. Fox has been pleaſed to ſay, that the Americans rebelled, 'becauſe they thought 'they had not enjoyed liberty enough.' This cauſe of the war *from him* I have heard of for the firſt time. It is true that thoſe who ſtimulated the nation to that meaſure, did frequently urge this topic. They contended, that the Americans had from the beginning aimed at independence; that from the beginning

ning they meant wholly to throw off the authority of the crown, and to break their connection with the parent country. This Mr. Burke never believed. When he moved his ſecond conciliatory propoſition in the year 1776, he entered into the diſcuſſion of this point at very great length; and from nine ſeveral heads of preſumption, endeavored to prove the charge upon that people not to be true.

If the principles of all he has ſaid and wrote on the occaſion, be viewed with common temper, the gentlemen of the party will perceive, that on a ſuppoſition that the Americans had rebelled merely in order to enlarge their liberty, Mr. Burke would have thought very differently of the American cauſe. What might have been in the ſecret thoughts of ſome of their leaders it is impoſſible to ſay. As far as a man, ſo locked up as Dr. Franklin, could be expected to communicate his ideas, I believe he opened them to Mr. Burke. It was, I think, the very day before he ſet out for America, that a very long converſation paſſed between them, and with a greater air of openneſs on the Doctor's ſide, than Mr. Burke had obſerved in him before. In this diſcourſe Dr. Franklin lamented, and with apparent ſincerity, the ſeparation which he feared was inevitable between Great Britain and her colonies. He certainly ſpoke of it as an event which gave him the greateſt concern. America, he ſaid, would never again ſee ſuch happy days as ſhe had paſſed under the protection of England. He obſerved, that ours was the only inſtance of a great empire, in which the moſt diſtant parts and members had been as well governed as the metropolis and its vicinage: But that the Americans were going to loſe the means which ſecured to them this rare and precious advantage. The queſtion with them was not whether they were to remain as they had been before the troubles, for better, he allowed they could not hope to be;

but whether they were to give up ſo happy a ſituation without a ſtruggle? Mr. Burke had ſeveral other converſations with him about that time, in none of which, ſoured and exaſperated as his mind certainly was, did he diſcover any other wiſh in favour of America than for a ſecurity to its *ancient* condition. Mr. Burke's converſation with other Americans was large indeed, and his enquiries extenſive and diligent. Truſting to the reſult of all theſe means of information, but truſting much more in the public preſumptive indications I have juſt referred to, and to the reiterated ſolemn declarations of their aſſemblies, he always firmly believed that they were purely on the defenſive in that rebellion. He conſidered the Americans as ſtanding at that time, and in that controverſy, in the ſame relation to England, as England did to king James the Second, in 1688. He believed, that they had taken up arms from one motive only; that is our attempting to tax them without their conſent; to tax them for the purpoſes of maintaining civil and military eſtabliſhments. If this attempt of ours could have been practically eſtabliſhed, he thought with them, that their aſſemblies would become totally uſeleſs; that under the ſyſtem of policy which was then purſued, the Americans could have no ſort of ſecurity for their laws or liberties, or for any part of them; and, that the very cireumſtance of *our* freedom would have augmented the weight of *their* ſlavery.

Conſidering the Americans on that defenſive footing, he thought Great Britain ought inſtantly to have cloſed with them by the repeal of the taxing act. He was of opinion that our general rights over that country would have been preſerved by this timely conceſſion *. When, inſtead of this,

* See his ſpeech on American taxation, the 19th of April, 1774.

a Boſton

a Boſton port bill, a Maſſachuſet's charter bill, a Fiſhery bill, an Intercourſe bill, I know not how many hoſtile bills ruſhed out like ſo many tempeſts from all points of the compaſs, and were accompanied firſt with great fleets and armies of Engliſh, and followed afterwards with great bodies of foreign troops, he thought that their cauſe grew daily better, becauſe daily more defenſive; and that ours, becauſe daily more offenſive, grew daily worſe. He therefore in two motions, in two ſucceſſive years, propoſed in parliament many conceſſions beyond what he had reaſon to think in the beginning of the troubles would ever be ſeriouſly demanded.

So circumſtanced, he certainly never could and never did wiſh the coloniſts to be ſubdued by arms. He was fully perſuaded, that if ſuch ſhould be the event, they muſt be held in that ſubdued ſtate by a great body of ſtanding forces, and perhaps of foreign forces. He was ſtrongly of opinion, that ſuch armies, firſt victorious over Engliſhmen, in a conflict for Engliſh conſtitutional rights and privileges, and afterwards habituated (though in America) to keep an Engliſh people in a ſtate of abject ſubjection, would prove fatal in the end to the liberties of England itſelf; that in the mean time this military ſyſtem would lie as an oppreſſive burthen upon the national finances; that it would conſtantly breed and feed new diſcuſſions, full of heat and acrimony, leading poſſibly to a new ſeries of wars; and that foreign powers, whilſt we continued in a ſtate at once burthened and diſtracted, muſt at length obtain a decided ſuperiority over us. On what part of his late publication, or on what expreſſion that might have eſcaped him in that work, is any man authorized to charge Mr. Burke with a contradiction to the line of his conduct, and to the current of his doctrines on the American

war? The pamphlet is in the hands of his accuſers, let them point out the paſſage if they can.

Indeed, the author has been well ſifted and ſcrutinized by his friends. He is even called to an account for every jocular and light expreſſion. A ludicrous picture which he made with regard to a paſſage in the ſpeech of a * late miniſter, has been brought up againſt him. That paſſage contained a lamentation for the loſs of monarchy to the Americans, after they had ſeparated from Great Britain. He thought it to be unſeaſonable, ill judged, and ill ſorted with the circumſtances of all the parties. Mr. Burke, it ſeems, conſidered it ridiculous to lament the loſs of ſome monarch or other, to a rebel people, at the moment they had for ever quitted their allegiance to theirs and our ſovereign; at the time when they had broken off all connexion with this nation, and had allied themſelves with its enemies. He certainly muſt have thought it open to ridicule: and, now that it is recalled to his memory, (he had, I believe, wholly forgotten the circumſtance) he recollects that he did treat it with ſome levity. But is it a fair inference from a jeſt on this unſeaſonable lamentation, that he was then an enemy to monarchy either in this or in any other country? The contrary perhaps ought to be inferred, if any thing at all can be argued from pleaſantries good or bad. Is it for this reaſon, or for any thing he has ſaid or done relative to the American war, that he is to enter into an alliance offenſive and defenſive with every rebellion, in every country, under every circumſtance, and raiſed upon whatever pretence? Is it becauſe he did not wiſh the Americans to be ſubdued by arms, that he muſt be inconſiſtent with himſelf, if he reprobates the conduct of thoſe ſo-

* Lord Lanſdown.

cieties,

cieties in England, who alledging no one act of tyranny or oppreſſion, and complaining of no hoſtile attempt againſt our antient laws, rights, and uſages, are now endeavouring to work the deſtruction of the crown of this kingdom, and the whole of its conſtitution? Is he obliged, from the conceſſions he wiſhed to be made to the colonies, to keep any terms with thoſe clubs and federations, who hold out to us as a pattern for imitation, the proceedings in France, in which a king, who had voluntarily and formally diveſted himſelf of the right of taxation, and of all other ſpecies of arbitrary power, has been dethroned? —Is it becauſe Mr. Burke wiſhed to have America rather conciliated than vanquiſhed, that he muſt wiſh well to the army of republics which are ſet up in France; a country wherein not the people, but the monarch was wholly on the defenſive (a poor, indeed, and feeble defenſive) to preſerve *ſome fragments* of the royal authority againſt a determined and deſperate body of conſpirators, whoſe object it was, with whatever certainty of crimes, with whatever hazard of war and every other ſpecies of calamity, to annihilate the *whole* of that authority; to level all ranks, orders, and diſtinctions in the ſtate; and utterly to deſtroy property, not more by their acts than in their principles?

Mr. Burke has been alſo reproached with an inconſiſtency between his late writings and his former conduct, becauſe he had propoſed in parliament ſeveral œconomical, leading to ſeveral conſtitutional reforms. Mr. Burke thought, with a majority of the Houſe of Commons, that the influence of the crown at one time was too great; but after his Majeſty had by a gracious meſſage, and ſeveral ſubſequent acts of parliament, reduced it to a ſtandard which ſatisfied Mr. Fox himſelf, and, apparently at leaſt, contented whoever wiſhed to go fartheſt in that reduction, is Mr. Burke to allow that it would be right

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for us to proceed to indefinite lengths upon that ſubject? that it would therefore be juſtifiable in a people owing allegiance to a monarchy, and profeſſing to maintain it, not to *reduce*, but wholly to *take away all* prerogative, and *all* influence whatſoever?—Muſt his having made, in virtue of a plan of œconomical regulation, a reduction of the influence of the crown, that it would be right in the French or in us to bring a king to ſo abject a ſtate, as in function not to be ſo reſpectable as an under ſheriff, but in perſon not to differ from the condition of a mere priſoner? One would think that ſuch a thing as a medium had never been heard of in the moral world.

This mode of arguing from your having done *any* thing in a certain line, to the neceſſity of doing *every* thing, has political conſequences of other moment than thoſe of a logical fallacy. If no man can propoſe any diminution or modification of an invidious or dangerous power or influence in government, without entitling friends turned into adverſaries, to argue him into the deſtruction of all prerogative, and to a ſpoliation of the whole patronage of royalty, I do not know what can more effectually deter perſons of ſober minds from engaging in any reform; nor how the worſt enemies to the liberty of the ſubject could contrive any method more fit to bring all correctives on the power of the crown into ſuſpicion and diſrepute.

If, ſay his accuſers, the dread of too great influence in the crown of Great Britain could juſtify the degree of reform which he adopted, the dread of a return under the deſpotiſm of a monarchy might juſtify the people of France in going much further, and reducing monarchy to its preſent nothing. Mr. Burke does not allow, that a ſufficient argument *ad hominem* is inferable from thoſe premiſes. If the horror of the exceſſes of an abſolute monarchy furniſhes a reaſon for

abolishing it, no monarchy once absolute (all have been so at one period or other) could ever be limited. It must be destroyed; otherwise no way could be found to quiet the fears of those who were formerly subjected to that sway. But the principle of Mr. Burke's proceeding ought to lead him to a very different conclusion;—to this conclusion,—that a monarchy is a thing perfectly susceptible of reform; perfectly susceptible of a balance of power; and that, when reformed and balanced, for a great country, it is the best of all governments. The example of our country might have led France, as it has led him, to perceive that monarchy is not only reconcilable to liberty, but that it may be rendered a great and stable security to its perpetual enjoyment. No correctives which he proposed to the power of the crown could lead him to approve of a plan of a republic (if so it may be reputed) which has no correctives, and which he believes to be incapable of admitting any. No principle of Mr. Burke's conduct or writings obliged him, from consistency, to become an advocate for an exchange of mischiefs; no principle of his could compel him to justify the setting up in the place of a mitigated monarchy, a new and far more despotic power, under which there is no trace of liberty, except what appears in confusion and in crime.

Mr. Burke does not admit that the faction predominant in France have abolished their monarchy and the orders of their state, from any dread of arbitrary power that lay heavy on the minds of the people. It is not very long since he has been in that country. Whilst there he conversed with many descriptions of its inhabitants. A few persons of rank did, he allows, discover strong and manifest tokens of such a spirit of liberty, as might be expected one day to break all bounds. Such gentlemen have

since

ſince had more reaſon to repent of their want of foreſight than I hope any of the ſame claſs will ever have in this country. But this ſpirit was far from general even amongſt the gentlemen. As to the lower orders and thoſe a little above them, in whoſe name the preſent powers domineer, they were far from diſcovering any ſort of diſſatisfaction with the power and prerogatives of the crown. That vain people were rather proud of them: they rather deſpiſed the Engliſh for not having a monarch poſſeſſed of ſuch high and perfect authority. *They* had felt nothing from *Lettres de Cachet*. The Baſtile could inſpire no horrors into *them*. This was a treat for their betters. It was by art and impulſe; it was by the ſiniſter uſe made of a ſeaſon of ſcarcity; it was under an infinitely diverſified ſucceſſion of wicked pretences, wholly foreign to the queſtion of monarchy or ariſtocracy, that this light people were inſpired with their preſent ſpirit of levelling. Their old vanity was led by art to take another turn: It was dazzled and ſeduced by military liveries, cockades, and epaulets, until the French populace was led to become the willing, but ſtill the proud and thoughtleſs inſtrument and victim of another tyranny. Neither did that people deſpiſe, or hate, or fear their nobility. On the contrary, they valued themſelves on the generous qualities which diſtinguiſhed the chiefs of their nation.

So far as to the attack on Mr. Burke, in conſequence of his reforms.

To ſhew that he has in his laſt publication abandoned thoſe principles of liberty which have given energy to his youth, and in ſpite of his cenſors will afford repoſe and conſolation to his declining age, thoſe who have thought proper in parliament to declare againſt his book, ought to have produced ſomething in it, which directly

rectly or indirectly militates with any rational plan of free government. It is ſomething extraordinary, that they whoſe memories have ſo well ſerved them with regard to light and ludicrous expreſſions which years had conſigned to oblivion, ſhould not have been able to quote a ſingle paſſage in a piece ſo lately publiſhed, which contradicts any thing he has formerly ever ſaid in a ſtyle either ludicrous or ſerious. They quote his former ſpeeches, and his former votes, but not one ſyllable from the book. It is only by a collation of the one with the other that the alledged inconſiſtency can be eſtabliſhed. But as they are unable to cite any ſuch contradictory paſſage, ſo neither can they ſhew any thing in the general tendency and ſpirit of the whole work unfavourable to a rational and generous ſpirit of liberty; unleſs a warm oppoſition to the ſpirit of levelling, to the ſpirit of impiety, to the ſpirit of proſcription, plunder, murder, and cannibaliſm, be adverſe to the true principles of freedom.

The author of that book is ſuppoſed to have paſſed from extreme to extreme; but he has always kept himſelf in a medium. This charge is not ſo wonderful. It is in the nature of things, that they who are in the centre of a circle ſhould appear directly oppoſed to thoſe who view them from any part of the circumference. In that middle point, however, he will ſtill remain, though he may hear people who themſelves run beyond Aurora and the Ganges, cry out, that he is at the extremity of the weſt.

In the ſame debate Mr. Burke was repreſented as arguing in a manner which implied that the Britiſh conſtitution could not be defended, but by abuſing all republics antient and modern. He ſaid nothing to give the leaſt ground for ſuch a cenſure. He never abuſed all republics. He has never profeſſed himſelf a friend or an enemy to republics or

to monarchies in the abſtract. He thought that the circumſtances and habits of every country, which it is always perilous and productive of the greateſt calamities to force, are to decide upon the form of its government. There is nothing in his nature, his temper, or his faculties, which ſhould make him an enemy to any republic modern or antient. Far from it. He has ſtudied the form and ſpirit of republics very early in life; he has ſtudied them with great attention; and with a mind undiſturbed by affection or prejudice. He is indeed convinced that the ſcience of government would be poorly cultivated without that ſtudy. But the reſult in his mind from that inveſtigation has been, and is, that neither England nor France, without infinite detriment to them, as well in the event as in the experiment, could be brought into a republican form; but that every thing republican which can be introduced with ſafety into either of them, muſt be built upon a monarchy; built upon a real, not a nominal monarchy, *as its eſſential baſis*; that all ſuch inſtitutions, whether ariſtocratic or democratic, muſt originate from their crown, and in all their proceedings muſt refer to it; that by the energy of that main ſpring alone thoſe republican parts muſt be ſet in action, and from thence muſt derive their whole legal effect, (as amongſt us they actually do) or the whole will fall into confuſion. Theſe republican members have no other point but the crown in which they can poſſibly unite.

This is the opinion expreſſed in Mr. Burke's book. He has never varied in that opinion ſince he came to years of diſcretion. But ſurely, if at any time of his life he had entertained other notions, (which however he has never held or profeſſed to hold) the horrible calamities brought upon a great people, by the wild attempt to force their country into a republick, might be more than ſufficient to undeceive

undeceive his underſtanding, and to free it for ever from ſuch deſtructive fancies. He is certain, that many, even in France, have been made ſick of their theories by their very ſucceſs in realizing them.

To fortify the imputation of a deſertion from his principles, his conſtant attempts to reform abuſes, have been brought forward. It is true, it has been the buſineſs of his ſtrength to reform abuſes in government; and his laſt feeble efforts are employed in a ſtruggle againſt them. Politically he has lived in that element; politically he will die in it. Before he departs, I will admit for him that he deſerves to have all his titles of merit brought forth, as they have been, for grounds of condemnation, if one word, juſtifying or ſupporting abuſes of any ſort, is to be found in that book which has kindled ſo much indignation in the mind of a great man. On the contrary, it ſpares no exiſting abuſe. Its very purpoſe is to make war with abuſes; not, indeed, to make war with the dead, but with thoſe which live, and flouriſh, and reign.

The *purpoſe* for which the abuſes of government are brought into view, forms a very material conſideration in the mode of treating them. The complaints of a friend are things very different from the invectives of an enemy. The charge of abuſes on the late monarchy of France, was not intended to lead to its reformation, but to juſtify its deſtruction. They who have raked into all hiſtory for the faults of kings, and who have aggravated every fault they have found, have acted conſiſtently; becauſe they acted as enemies. No man can be a friend to a tempered monarchy who bears a decided hatred to monarchy itſelf. He who, at the preſent time, is favourable, or even fair to that ſyſtem, muſt act towards it as towards a friend with frailties, who is under the proſecution

of implacable foes. I think it a duty in that caſe, not to inflame the public mind againſt the obnoxious perſon, by any exaggeration of his faults. It is our duty rather to palliate his errors and defects, or to caſt them in the ſhade, and induſtriouſly to bring forward any good qualities that he may happen to poſſeſs. But when the man is to be amended, and by amendment to be preſerved, then the line of duty takes another direction. When his ſafety is effectually provided for, it then becomes the office of a friend to urge his faults and vices with all the energy of enlightened affection, to paint them in their moſt vivid colours, and to bring the moral patient to a better habit. Thus I think with regard to individuals; thus I think with regard to antient and reſpected governments and orders of men. A ſpirit of reformation is never more conſiſtent with itſelf, than when it refuſes to be rendered the means of deſtruction.

I ſuppoſe that enough is ſaid upon theſe heads of accuſation. One more I had nearly forgotten, but I ſhall ſoon diſpatch it. The author of the Reflections, in the opening of the laſt parliament, entered on the Journals of the Houſe of Commons a motion for a remonſtrance to the crown, which is ſubſtantially a defence of the preceding parliament, that had been diſſolved under diſpleaſure. It is a defence of Mr. Fox. It is a defence of the Whigs. By what connection of argument, by what aſſociation of ideas, this apology for Mr. Fox and his party is, by him and them, brought to criminate his and their apologiſt, I cannot eaſily divine. It is true, that Mr. Burke received no previous encouragement from Mr. Fox, nor any the leaſt countenance or ſupport at the time when the motion was made, from him or from any gentleman of the party, one only excepted, from whoſe friendſhip, on that and on other occaſions, he derives an honour

to

to which he muſt be dull indeed to be inſenſible *. If that remonſtrance therefore was a falſe or feeble defence of the meaſures of the party, they were in no wiſe affected by it. It ſtands on the Journals. This ſecures to it a permanence which the author cannot expect to any other work of his. Let it ſpeak for itſelf to the preſent age, and to all poſterity. The party had no concern in it; and it can never be quoted againſt them. But in the late debate it was produced, not to clear the party from an improper defence in which they had no ſhare, but for the kind purpoſe of inſinuating an inconſiſtency between the principles of Mr. Burke's defence of the diſſolved parliament, and thoſe on which he proceeded in his late Reflections on France.

It requires great ingenuity to make out ſuch a parallel between the two caſes, as to found a charge of inconſiſtency in the principles aſſumed in arguing the one and the other. What relation had Mr. Fox's India bill to the conſtitution of France? What relation had that conſtitution to the queſtion of right, in an houſe of commons, to give or to withhold its confidence from miniſters, and to ſtate that opinion to the crown? What had this diſcuſſion to do with Mr. Burke's idea in 1784, of the ill conſequences which muſt in the end ariſe to the crown from ſetting up the commons at large as an oppoſite intereſt to the commons in parliament? What has this diſcuſſion to do with a recorded warning to the people, of their raſhly forming a precipitate judgment againſt their repreſentatives? What had Mr. Burke's opinion of the danger of introducing new theoretic language unknown to the records of the kingdom, and calculated to excite vexatious queſtions, into a parliamentary proceed-

* Mr. Windham.

ing, to do with the French aſſembly, which defies all precedent, and places its whole glory in realizing what had been thought the moſt viſionary theories? What had this in common with the abolition of the French monarchy, or with the principles upon which the Engliſh revolution was juſtified? a revolution in which parliament, in all its acts and all its declarations, religiouſly adheres to 'the form of ſound words,' without excluding from private diſcuſſions, ſuch terms of art as may ſerve to conduct an inquiry for which none but private perſons are reſponſible? Theſe were the topics of Mr. Burke's propoſed remonſtrance; all of which topics ſuppoſe the exiſtence and mutual relation of our three eſtates; as well as the relation of the Eaſt India Company to the crown, to parliament, and to the peculiar laws, rights, and uſages of the people of Hindoſtan? What reference, I ſay, had theſe topics to the conſtitution of France, in which there is no king, no lords, no commons, no India company to injure or ſupport, no Indian empire to govern or oppreſs? What relation had all or any of theſe, or any queſtion which could ariſe between the prerogatives of the crown and the privileges of parliament, with the cenſure of thoſe factious perſons in Great Britain, whom Mr. Burke ſtated to be engaged, not in favour of privilege againſt prerogative, or of prerogative againſt privilege, but in an open attempt againſt our crown and our parliament; againſt our conſtitution in church and ſtate; againſt all the parts and orders which compoſe the one and the other?

No perſons were more fiercely active againſt Mr. Fox, and againſt the meaſures of the houſe of commons diſſolved in 1784, which Mr. Burke defends in that remonſtrance, than ſeveral of thoſe revolution-makers, whom Mr. Burke condemns alike

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in his remonſtrance, and in his book. Theſe revolutioniſts indeed may be well thought to vary in their conduct. He is, however, far from accuſing them, in this variation, of the ſmalleſt degree of inconſiſtency. He is perſuaded, that they are totally indifferent at which end they begin the demolition of the conſtitution.—Some are for commencing their operations with the deſtruction of the civil powers, in order the better to pull down the eccleſiaſtical; ſome wiſh to begin with the eccleſiaſtical, in order to facilitate the ruin of the civil; ſome would deſtroy the houſe of commons through the crown; ſome the crown through the houſe of commons; and ſome would overturn both the one and the other through what they call the people. But I believe that this injured writer will think it not at all inconſiſtent with his preſent duty, or with his former life, ſtrenuouſly to oppoſe all the various partizans of deſtruction, let them begin where, or when, or how they will. No man would ſet his face more determinedly againſt thoſe who ſhould attempt to deprive them, or any deſcription of men, of the rights they poſſeſs. No man would be more ſteady in preventing them from abuſing thoſe rights to the deſtruction of that happy order under which they enjoy them. As to their title to any thing further, it ought to be grounded on the proof they give of the ſafety with which power may be truſted in their hands. When they attempt without diſguiſe, not to win it from our affections, but to force it from our fears, they ſhew, in the character of their means of obtaining it, the uſe they would make of their dominion. That writer is too well read in men, not to know how often the deſire and deſign of a tyrannic domination lurks in the claim of an extravagant liberty. Perhaps in the beginning it *always* diſplays itſelf in that manner. No man has ever affected

power which he did not hope from the favour of the exiſting government, in any other mode.

The attacks on the author's conſiſtency relative to France, are (however grievous they may be to his feelings) in a great degree external to him and to us, and comparatively of little moment to the people of England. The ſubſtantial charge upon him is concerning his doctrines relative to the Revolution of 1688. Here it is, that they who ſpeak in the name of the party have thought proper to cenſure him the moſt loudly, and with the greateſt aſperity. Here they faſten; and, if they are right in their fact, with ſufficient judgment in their ſelection. If he be guilty in this point he is equally blameable, whether he is conſiſtent or not. If he endeavours to delude his countrymen by a falſe repreſentation of the ſpirit of that leading event, and of the true nature and tenure of the government formed in conſequence of it, he is deeply reſponſible; he is an enemy to the free conſtitution of the kingdom. But he is not guilty in any ſenſe. I maintain that in his Reflections he has ſtated the Revolution and the ſettlement upon their true principles of legal reaſon and conſtitutional policy.

His authorities are the acts and declarations of parliament given in their proper words. So far as theſe go, nothing can be added to what he has quoted. The queſtion is, whether he has underſtood them rightly. I think they ſpeak plain enough. But we muſt ſee whether he proceeds with other authority than his own conſtructions; and if he does, on what ſort of authority he proceeds. In this part, his defence will not be made by argument, but by wager of law. He takes his compurgators, his vouchers, his guarantees, along with him. I know, that he will not be ſatisfied with a juſtification proceeding on general reaſons of policy. He muſt

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be defended on party grounds too; or his cauſe is not ſo tenable as I wiſh it to appear. It muſt be made out for him, not only, that in his conſtruction of theſe public acts and monuments he conforms himſelf to the rules of fair, legal, and logical interpretation; but it muſt be proved that his conſtruction is in perfect harmony with that of the ancient Whigs, to whom, againſt the ſentence of the modern, on his part, I here appeal.

This July, it will be twenty-ſix years* ſince he became connected with a man whoſe memory will ever be precious to Engliſhmen of all parties, as long as the ideas of honour and virtue, public and private, are underſtood and cheriſhed in this nation. That memory will be kept alive with particular veneration by all rational and honourable Whigs. Mr. Burke entered into a connexion with that party, through that man, at an age, far from raw and immature; at thoſe years when men are all they are ever likely to become; when he was in the prime and vigour of his life; when the powers of his underſtanding, according to their ſtandard, were at the beſt; his memory exerciſed; his judgment formed; and his reading, much freſher in the recollection, and much readier in the application, than now it is. He was at that time as likely as moſt men to know what were Whig and what were Tory principles. He was in a ſituation to diſcern what ſort of Whig principles they entertained, with whom it was his wiſh to form an eternal connexion. Fooliſh he would have been at that time of life (more fooliſh than any man who undertakes a public truſt would be thought) to adhere to a cauſe, which he, amongſt all thoſe who were engaged in it, had the leaſt ſanguine hopes of, as a road to power.

* July 17th 1765.

There are who remember, that on the removal of the Whigs in the year 1766, he was as free to chooſe another connexion as any man in the kingdom. To put himſelf out of the way of the negociations which were then carrying on very eagerly, and through many channels, with the Earl of Chatham, he went to Ireland very ſoon after the change of miniſtry, and did not return until the meeting of parliament. He was at that time free from any thing which looked like an engagement. He was further free at the deſire of his friends; for the very day of his return, the Marquis of Rockingham wiſhed him to accept an employment under the new ſyſtem. He believes he might have had ſuch a ſituation; but again he cheerfully took his fate with the party.

It would be a ſerious imputation upon the prudence of my friend, to have made even ſuch trivial ſacrifices as it was in his power to make, for principles which he did not truly embrace, or did not perfectly underſtand. In either caſe the folly would have been great. The queſtion now is, whether, when he firſt practically profeſſed Whig principles, he underſtood what principles he profeſſed; and whether, in his book, he has faithfully expreſſed them.

When he entered into the Whig party, he did not conceive that they pretended to any diſcoveries. They did not affect to be better Whigs, than thoſe were who lived in the days in which principle was put to the teſt. Some of the Whigs of thoſe days were then living. They were what the Whigs had been at the Revolution; what they had been during the reign of queen Anne; what they had been at the acceſſion of the preſent royal family.

What they were at thoſe periods is to be ſeen. It rarely happens to a party to have the opportunity of a clear,

clear, authentic, recorded, declaration of their political tenets upon the ſubject of a great conſtitutional event like that of the Revolution. The Whigs had that opportunity, or, to ſpeak more properly, they made it. The impeachment of Dr. Sacheverel was undertaken by a Whig Miniſtry and a Whig Houſe of Commons, and carried on before a prevalent and ſteady majority of Whig Peers. It was carried on for the expreſs purpoſe of ſtating the true grounds and principles of the Revolution; what the Commons emphatically called their *foundation*. It was carried on for the purpoſe of condemning the principles on which the Revolution was firſt oppoſed, and afterwards calumniated, in order by a juridical ſentence of the higheſt authority to confirm and fix Whig principles, as they had operated both in the reſiſtance to King James, and in the ſubſequent ſettlement; and to fix them in the extent and with the limitations with which it was meant they ſhould be underſtood by poſterity. The miniſters and managers for the Commons were perſons who had, many of them, an active ſhare in the Revolution. Moſt of them had ſeen it at an age capable of reflection. The grand event, and all the diſcuſſions which led to it, and followed it, were then alive in the memory and converſation of all men. The managers for the Commons muſt be ſuppoſed to have ſpoken on that ſubject the prevalent ideas of the leading party in the Commons, and of the Whig miniſtry. Undoubtedly they ſpoke alſo their own private opinions; and the private opinions of ſuch men are not without weight. They were not *umbratiles doctores*, men who had ſtudied a free conſtitution only in its anatomy, and upon dead ſyſtems. They knew it alive and in action.

In this proceeding, the Whig principles, as applied to the Revolution and ſettlement, are to be

found, or they are to be found no where. I wiſh the Whig readers of this appeal firſt to turn to Mr. Burke's Reflections from p. 20 to p. 50; and then to attend to the following extracts from the trial of Dr. Sacheverel. After this, they will conſider two things; firſt, whether the doctrine in Mr. Burke's Reflections be conſonant to that of the Whigs of that period; and ſecondly, whether they chooſe to abandon the principles which belonged to the progenitors of ſome of them, and to the predeceſſors of them all, and to learn new principles of Whiggiſm, imported from France, and diſſeminated in this country from diſſenting pulpits, from federation ſocieties, and from the pamphlets, which (as containing the political creed of thoſe ſynods) are induſtriouſly circulated in all parts of the two kingdoms. This is their affair, and they will make their option.

Theſe new Whigs hold, that the ſovereignty, whether exerciſed by one or many, did not only originate *from* the people (a poſition not denied, nor worth denying or aſſenting to) but that, in the people the ſame ſovereignty conſtantly and unalienably reſides; that the people may lawfully depoſe kings, not only for miſconduct, but without any miſconduct at all; that they may ſet up any new faſhion of government for themſelves, or continue without any government at their pleaſure; that the people are eſſentially their own rule, and their will the meaſure of their conduct; that the tenure of magiſtracy is not a proper ſubject of contract; becauſe magiſtrates have duties, but no rights: and that if a contract *de facto* is made with them in one age, allowing that it binds at all, it only binds thoſe who were immediately concerned in it, but does not paſs to poſterity. Theſe doctrines concerning the *people* (a term which they are far from accurately defining, but by which, from many circumſtances, it is plain enough

enough they mean their own faction, if they ſhould grow by early arming, by treachery, or violence, into the prevailing force) tend, in my opinion, to the utter ſubverſion, not only of all government, in all modes, and to all ſtable ſecurities to rational freedom, but to all the rules and principles of morality itſelf.

I aſſert, that the ancient Whigs held doctrines, totally different from thoſe I have laſt mentioned. I aſſert, that the foundations laid down by the Commons, on the trial of Doctor Sacheverel, for juſtifying the revolution of 1688, are the very ſame laid down in Mr. Burke's Reflections; that is to ſay,—a breach of the *original contract*, implied and expreſſed in the conſtitution of this country, as a ſcheme of government fundamentally and inviolably fixed in King, Lords, and Commons.—That the fundamental ſubverſion of this antient conſtitution, by one of its parts, having been attempted, and in effect accompliſhed, juſtified the Revolution. That it was juſtified *only* upon the *neceſſity* of the caſe; as the *only* means left for the recovery of that *antient* conſtitution, formed by the *original contract* of the Britiſh ſtate; as well as for the future preſervation of the *ſame* government. Theſe are the points to be proved.

A general opening to the charge againſt Dr. Sacheverel was made by the Attorney General, Sir John Montagu; but as there is nothing in that opening ſpeech which tends very accurately to ſettle the principle upon which the Whigs proceeded in the proſecution (the plan of the ſpeech not requiring it) I proceed to that of Mr. Lechmere, the manager who ſpoke next after him. The following are extracts, given not in the exact order in which they ſtand in the printed trial, but in that which is thought moſt fit to bring the ideas of the Whig Commons diſtinctly under our view.

Mr.

* Mr. Lechmere.

'It becomes an *indiſpenſable* duty upon us, who 'appear in the name and on the behalf of all the 'Commons of Great Britain, not only to demand 'your lordſhips juſtice on ſuch a criminal [Dr. Sa-'cheverel] *but clearly and openly to aſſert our foun-'dations.*' — — —

That the terms of our conſtitution imply and expreſs an original contract.

'The nature of our conſtitution is that of a *li-'mited monarchy*; wherein the ſupreme power is 'communicated and divided between Queen, Lords, 'and Commons; though the executive power and 'adminiſtration be wholly in the crown. The terms 'of ſuch a conſtitution do not only ſuppoſe, but ex-'preſs, an original contract between the crown and 'the people; by which that ſupreme power was '(by mutual conſent, and not by accident) limited, 'and lodged in more hands than one. And *the 'uniform preſervation of ſuch a conſtitution for ſo 'many ages, without any fundamental change, demon-'ſtrates to your lordſhips the continuance of the ſame 'contract.*' — — —

That the contract is by mutual conſent, and binding at all times upon the parties.

The mixed conſtitution uniformly preſerved for many ages, and is a proof of the contract.

'The conſequences of ſuch a frame of govern-'ment are obvious. That the *laws* are the rule to 'both; the common meaſure of the power of the 'crown, and of the obedience of the ſubject; and 'if the executive part endeavours the *ſubverſion and 'total deſtruction of the government*, the original con-'tract is thereby broke, and the right of allegiance 'ceaſes; that part of the government, thus *funda-'mentally* injured, hath a right to ſave or recover '*that* conſtitution, in which it had an original in-'tereſt.' — — —

Laws the common meaſure to king and ſubject.

Caſe of fundamental injury, and breach of original contract.

Words *neceſſary*

'The *neceſſary* means (which is the phraſe uſed 'by the Commons in their firſt article) are words

* State Trials, vol. v. p. 651.

'made

'made choice of by them *with the greateſt caution.* means ſelected with caution.
'Thoſe means are deſcribed (in the preamble to
'their charge) to be, that glorious enterprize, which
'his late majeſty undertook, with an armed force,
'to deliver this kingdom from popery and arbitrary
'power; the concurrence of many ſubjects of the
'realm, who came over with him in that enterprize,
'and of many others of *all ranks and orders*, who
'appeared in arms in many parts of the kingdom
'in aid of that enterprize.

'Theſe were the *means* that brought about the
'Revolution; and which the act that paſſed ſoon
'after, *declaring the rights and liberties of the ſubject,*
'*and ſettling the ſucceſſion of the crown*, intends,
'when his late majeſty is therein called the *glorious*
'*inſtrument of delivering the kingdom*; and which the
'Commons, in the laſt part of their firſt article,
'expreſs by the word *reſiſtance.*

'But the Commons, who will never be unmind- Regard of the Commons to their allegiance to the crown, and to the antient conſtitution.
'ful of the *allegiance* of the ſubjects to the *crown* of
'this realm, judged it highly incumbent upon
'them, out of regard to the *ſafety of her majeſty's*
'*perſon and government, and the antient and legal*
'*conſtitution of this kingdom*, to call that reſiſtance
'the *neceſſary* means; thereby plainly founding that
'power, right, and reſiſtance, which was exerciſed
'by the people at the time of the happy Revolu-
'tion, and which the duties of *ſelf-preſervation* and
'religion called them to, *upon the* NECESSITY
'*of the caſe, and at the ſame time effectually ſecuring*
'*her majeſty's government, and the due allegiance of*
'*all her ſubjects.*' — — —

'The nature of ſuch an *original contract* of go- All ages have the ſame intereſt in preſervation of the contract, and the ſame conſtitution.
'vernment proves, that there is not only a power
'in the people, who have *inherited this freedom*, to
'aſſert their own title to it; but they are bound in
'duty to tranſmit the *ſame* conſtitution to their poſ-
'terity alſo.'

* * * * * * * * * *

Mr. Lechmere made a ſecond ſpeech. Notwithſtanding the clear and ſatisfactory manner in which he delivered himſelf in his firſt upon this arduous queſtion, he thinks himſelf bound again diſtinctly to aſſert the ſame foundation; and to juſtify the Revolution on the *caſe of neceſſity only*, upon principles perfectly coinciding with thoſe laid down in Mr. Burke's Letter on the French affairs.

Mr. Lechmere.

The commons ſtrictly confine their ideas of a Revolution to neceſſity alone and ſelf-defence.

‘ Your lordſhips were acquainted, in opening the
‘ charge, with how *great caution*, and with what un-
‘ feigned regard to her majeſty and her govern-
‘ ment, and the *duty and allegiance* of her ſub-
‘ jects, the commons made uſe of the words *ne-*
‘ *ceſſary means*, to expreſs the reſiſtance that was
‘ made uſe of to bring about the Revolution, and
‘ with the condemning of which the Doctor is
‘ charged by this article; not doubting but that the
‘ honour and juſtice of that reſiſtance, *from the ne-*
‘ *ceſſity of that caſe, and to which alone we have ſtrictly*
‘ *confined ourſelves*, when duly conſidered, would
‘ confirm and ſtrengthen †, and be underſtood to be
‘ an effectual ſecurity for an allegiance of the
‘ ſubject to the crown of this realm, *in every other*
‘ *caſe where there is not the ſame neceſſity*; and that
‘ the right of the people to *ſelf-defence, and pre-*
‘ *ſervation of their liberties, by reſiſtance, as their*
‘ *laſt remedy, is the reſult of a caſe of ſuch* neceſſity
‘ only, *and by which the* original contract *between*
‘ *king and people, is broke. This was the principle*
‘ *laid down and carried through all that was ſaid with*
‘ *reſpect to* allegiance; *and on* which foundation, *in*
‘ *the name and on the behalf of all the commons of*
‘ *Great*

† N.B. The remark implies that allegiance would be inſecure without this reſtriction.

'*Great Britain, we aſſert and juſtify that reſiſtance by* '*which the late happy revolution was brought* '*about.*' — — —

'It appears to your lordſhips and the world, that '*breaking the original contract between king and people,* 'were the words made choice of by that Houſe of 'Commons, [the Houſe of Commons which had 'originated the declaration of right,] with the '*greateſt deliberation and judgment*, and approved of 'by your lordſhips, in that firſt and fundamental 'ſtep towards the *re-eſtabliſhment of the government*, 'which had received ſo great a ſhock from the evil 'counſels which had been given to that unfortunate 'prince.'

* * * * * * * *

Sir John Hawles, another of the managers, follows the ſteps of his brethren, poſitively affirming the doctrine of non-reſiſtance to government to be the general, moral, religious, and political rule for the ſubject; and juſtifying the Revolution on the ſame principle with Mr. Burke, that is, *as an exception from neceſſity*.—Indeed he carries the doctrine on the general idea of non-reſiſtance much further than Mr. Burke has done; and full as far as it can perhaps be ſupported by any duty of *perfect obligation*; however noble and heroic it may be, in many caſes, to ſuffer death rather than diſturb the tranquillity of our country.

* Sir John Hawles.

'Certainly it muſt be granted, that the doctrine 'that commands obedience to the ſupreme power, '*though in things contrary to nature*, even to ſuffer 'death, which is the higheſt injuſtice that can be

* P. 676.

'done

'done a man, rather than make an oppoſition to the 'ſupreme power * [is reaſonable;] becauſe the 'death of one, or ſome few private perſons, is a 'leſs evil than *diſturbing the whole government*; that 'law muſt needs be underſtood to forbid the doing 'or ſaying any thing to diſturb the government; 'the rather becauſe the obeying that law cannot 'be pretended to be againſt nature: and the Doc-'tor's refuſing to obey that implicit law, is the 'reaſon for which he is now proſecuted; though he 'would have it believed, that the reaſon he is now 'proſecuted, was for the doctrine he aſſerted of 'obedience to the ſupreme power; which he 'might have preached as long as he had pleaſed, 'and the Commons would have taken no offence 'at it, if he had ſtopped there, and not have taken 'upon him, on that pretence or occaſion, to have 'caſt odious colours upon the Revolution.'

* * * * * * * *

General Stanhope was among the managers: He begins his ſpeech by a reference to the opinion of his fellow managers, which he hoped had put beyond all doubt the limits and qualifications that the Commons had placed to their doctrines concerning the Revolution; yet not ſatisfied with this general reference, after condemning the principle of non-reſiſtance, which is aſſerted in the ſermon *without any exception*, and ſtating, that under the ſpecious pretence of preaching a peaceable doctrine, Sacheverel and the Jacobites meant in reality to excite a rebellion in favour of the Pretender, he explicitly limits his ideas of reſiſtance with the

* The words neceſſary to the completion of the ſentence are wanted in the printed trial—but the conſtruction of the ſentence, as well as the foregoing part of the ſpeech, juſtify the inſertion of ſome ſuch ſupplemental words as the above.

boundaries

boundaries laid down by his colleagues and by Mr. Burke.

GENERAL STANHOPE.

'The conſtitution of England is founded upon
'*compact*; and the ſubjects of this kingdom have,
'in their ſeveral public and private capacities, *as*
'legal a title to what are their rights by law, *as* a
'prince to the poſſeſſion of his crown.

Rights of the ſubject and the crown equally legal.

'Your lordſhips, and moſt that hear me, are wit-
'neſſes, and muſt remember the *neceſſities* of thoſe
'times which brought about the Revolution: that
'*no other* remedy was left to preſerve our religion
'and liberties; *that reſiſtance was* neceſſary *and con-*
'*ſequently juſt*. — —

Juſtice of reſiſtance founded on neceſſity.

'Had the Doctor, in the remaining part of his
'ſermon, preached up peace, quietneſs, and the
'like, and ſhewn how happy we are under her
'majeſty's adminiſtration, and exhorted obedience
'to it, he had never been called to anſwer a
'charge at your lordſhips bar. But the tenor of all
'his ſubſequent diſcourſe is one continued invective
'againſt the government.'

* * * * * * * *

Mr. Walpole (afterwards Sir Robert) was one of the managers on this occaſion. He was an honourable man and a ſound Whig. He was not, as the Jacobites and diſcontented Whigs of his time have repreſented him, and as ill-informed people ſtill repreſent him, a prodigal and corrupt miniſter. They charged him in their libels and ſeditious converſations as having firſt reduced corruption to a ſyſtem. Such was their cant. But he was far from governing by corruption. He governed by party attachments. The charge of ſyſtematic corruption is leſs applicable to him, perhaps, than to any miniſter who ever ſerved the crown for ſo great a length of time.

time. He gained over very few from the Oppoſition. Without being a genius of the firſt claſs, he was an intelligent, prudent, and ſafe miniſter. He loved peace; and he helped to communicate the ſame diſpoſition to nations at leaſt as warlike and reſtleſs as that in which he had the chief direction of affairs. Though he ſerved a maſter who was fond of martial fame, he kept all the eſtabliſhments very low. The land tax continued at two ſhillings in the pound for the greater part of his adminiſtration. The other impoſitions were moderate. The profound repoſe, the equal liberty, the firm protection of juſt laws during the long period of his power, were the principal cauſes of that proſperity which afterwards took ſuch rapid ſtrides towards perfection; and which furniſhed to this nation ability to acquire the military glory which it has ſince obtained, as well as to bear the burthens, the cauſe and conſequence of that warlike reputation. With many virtues, public and private, he had his faults; but his faults were ſuperficial. A careleſs, coarſe, and over familiar ſtyle of diſcourſe, without ſufficient regard to perſons or occaſions, and an almoſt total want of political decorum, were the errours by which he was moſt hurt in the public opinion: and thoſe through which his enemies obtained the greateſt advantage over him. But juſtice muſt be done. The prudence, ſteadineſs, and vigilance of that man, joined to the greateſt poſſible lenity in his character and his politics, preſerved the crown to this royal family; and with it, their laws and liberties to this country. Walpole had no other plan of defence for the Revolution, than that of the other managers, and of Mr. Burke; and he gives full as little countenance to any arbitrary attempts, on the part of reſtleſs and factious men, for framing new governments according to their fancies.

§ Mr.

Mr. Walpole.

'Reſiſtance is no where enacted to be legal, but 'ſubjected, by all the laws now in being, to the 'greateſt penalties. It is what is not, cannot, nor 'ought ever to be deſcribed, or affirmed, in any 'poſitive law, to be excuſable: when, and upon 'what *never-to-be-expected* occaſions, it may be 'exerciſed, no man can foreſee; *and it ought never to* 'be thought of, *but when an utter ſubverſion of the* 'laws of the realm threatens the whole frame of our 'conſtitution, and no redreſs can otherwiſe be hoped for.* 'It therefore does, and *ought for ever*, to ſtand, 'in the eye and letter of the law, as the *higheſt* 'offence. But becauſe any man, or party of men, 'may not, out of folly or wantonneſs, commit 'treaſon, or make their own diſcontents, ill prin- 'ciples, or diſguiſed affections to another intereſt, 'a pretence to reſiſt the ſupreme power, will it fol- 'low from thence that the *utmoſt neceſſity* ought 'not to engage a nation, *in its own defence, for* 'the preſervation of the whole?'

Caſe of reſiſtance out of the law; and the higheſt offence.

Utmoſt neceſſity juſtifies it.

* * * * * * * *

Sir Joſeph Jekyl was, as I have always heard and believed, as nearly as any individual could be, the very ſtandard of Whig principles in his age. He was a learned, and an able man; full of honour, integrity, and public ſpirit; no lover of innovation; nor diſpoſed to change his ſolid principles for the giddy faſhion of the hour. Let us hear this Whig.

Sir Joseph Jekyl.

'In clearing up and vindicating the juſtice of the 'Revolution, which was the ſecond thing propoſed, it

Commons do not state the limits of submission.

'is far from the intent of the Commons to state the 'limits and bounds of the subject's submission to the 'sovereign. That which the law hath been wisely 'silent in, the Commons desire to be silent in too; 'nor will they put *any* case of a justifiable resistance, 'but that of the Revolution only; and *they persuade 'themselves that the doing right to that resistance will 'be so far from promoting popular licence or confusion, 'that it will have a contrary effect, and be a means of 'settling men's minds in the love of, and veneration for 'the laws*; to rescue and secure which, was the 'ONLY *aim and intention of those concerned in re-'sistance.*'

To secure the laws, the only aim of the Revolution.

* * * * * * * * * *

Dr. Sacheverel's counsel defended him on this principle, namely—that whilst he enforced from the pulpit the general doctrine of non-resistance, he was not obliged to take notice of the theoretic limits which ought to modify that doctrine. Sir Joseph Jekyl, in his reply, whilst he controverts its application to the Doctor's defence, fully admits and even enforces the principle itself, and supports the Revolution of 1688, as he and all the managers had done before, exactly upon the same grounds on which Mr. Burke has built, in his Reflections on the French Revolution.

Sir Joseph Jekyl.

Blameable to state the bounds of non-resistance.

'If the Doctor had pretended to have stated the 'particular bounds and limits of non-resistance, 'and told the people in what cases they might, or 'might not resist, *he would have been much to blame*; 'nor was one word said in the articles, or by the 'managers, as if that was expected from him: 'but, *on the contrary, we have insisted, that in NO*

Resistance lawful only in *case* of

'*case*

'*case can resistance be lawful, but in case of* extreme necessity, *and where the constitution cannot otherwise be preserved; and such necessity ought to be plain and obvious to the sense and judgment of the whole nation; and this was the case at the Revolution.*' extreme and obvious necessity.

* * * * * * * *

The counsel for Doctor Sacheverel, in defending their client, were driven in reality to abandon the fundamental principles of his doctrine, and to confess, that an exception to the general doctrine of passive obedience and non-resistance did exist in the case of the Revolution. This the managers for the Commons considered as having gained their cause; as their having obtained *the whole* of what they contended for. They congratulated themselves and the nation on a civil victory, as glorious and as honourable as any that had obtained in arms during that reign of triumphs.

Sir Joseph Jekyl, in his reply to Harcourt, and the other great men who conducted the cause fo the Tory side, spoke in the following memorable terms, distinctly stating the whole of what the Whig House of Commons contended for, in the name of all their constituents:—

SIR JOSEPH JEKYL.

'My lords, the concessions [the concessions of Sacheverel's counsel] are these:—That *necessity* creates an *exception* to the general rule of submission to the prince;—that such exception is understood or implied in the laws that require such submission;—and that *the case of the Revolution was a case of necessity.*' Necessity creates an exception, and the Revolution a case of necessity, the utmost extent of the demand of the Commons.

'These are conceſſions *ſo ample*, and do ſo *fully* 'anſwer the drift of the Commons in this article, 'and are to *the utmoſt extent of their meaning in it*, 'that I can't forbear congratulating them upon 'this ſucceſs of their impeachment; that in full 'parliament, this erroneous doctrine of *unlimited* 'non-reſiſtance is given up, and diſclaimed. And 'may it not, in after ages, be an addition to the 'glories of this bright reign, that ſo many of thoſe 'who are honoured with being in her majeſty's 'ſervice have been at your lordſhips bar, thus ſuc-'ceſsfully contending for the *national* rights of her 'people, and proving they are not precarious or 'remedileſs?

'But to return to theſe conceſſions; I muſt ap-'peal to your lordſhips, whether they are not a '*total departure* from the Doctor's anſwer.'

* * * * * * * * * *

I now proceed to ſhew that the Whig managers for the Commons meant to preſerve the government on a firm foundation, by aſſerting the perpetual validity of the ſettlement then made, and its coercive power upon poſterity. I mean to ſhew that they gave no ſort of countenance to any doctrine tending to impreſs the *people*, taken ſeparately from the legiſlature which includes the crown, with an idea that *they* had acquired a moral or civil competence to alter (without breach of the original compact on the part of the king) the ſucceſſion to the crown, at their pleaſure; much leſs that they had acquired any right, in the caſe of ſuch an event as cauſed the Revolution, to ſet up any new form of government. The author of the Reflections, I believe, thought that no man of common underſtanding could oppoſe to this doctrine, the ordinary ſovereign power, as declared in the act of queen Anne. That is, that the kings or queens of the realm,

with

with the conſent of parliament, are competent to regulate and to ſettle the ſucceſſion of the crown. This power is and ever was inherent in the ſupreme ſovereignty; and was not, as the political divines vainly talk, acquired by the revolution. It is declared in the old ſtatute of Queen Elizabeth. Such a power muſt reſide in the complete ſovereignty of every kingdom; and it is in fact exerciſed in all of them. But this right of *competence* in the legiſlature, not in the people, is by the legiſlature itſelf to be exerciſed with *ſound diſcretion*; that is to ſay, it is to be exerciſed or not, in conformity to the fundamental principles of this government; to the rules of moral obligation; and to the faith of pacts, either contained in the nature of the tranſaction, or entered into by the body corporate of the kingdom; which body, in juridical conſtruction, never dies; and in fact never loſes its members at once by death.

Whether this doctrine is reconcileable to the modern philoſophy of government, I believe the author neither knows nor cares; as he has little reſpect for any of that ſort of philoſophy. This may be becauſe his capacity and knowledge do not reach to it. If ſuch be the caſe, he cannot be blamed, if he acts on the ſenſe of that incapacity; he cannot be blamed, if in the moſt arduous and critical queſtions which can poſſibly ariſe, and which affect to the quick the vital parts of our conſtitution, he takes the ſide which leans moſt to ſafety and ſettlement; that he is reſolved not "to be wiſe "beyond what is written" in the legiſlative record and practice; that when doubts ariſe on them, he endeavours to interpret one ſtatute by another; and to reconcile them all to eſtabliſhed recognized morals, and to the general antient known policy of the laws of England. Two things are equally evident, the firſt is, that the legiſlature poſſeſſes the

power of regulating the ſucceſſion of the crown; the ſecond, that in the exerciſe of that right it has uniformly acted as if under the *reſtraints* which the author has ſtated. That author makes what the antients call *mos majorum*, not indeed his ſole, but certainly his principal rule of policy, to guide his judgment in whatever regards our laws. Uniformity and analogy can be preſerved in them by this proceſs only. That point being fixed, and laying faſt hold of a ſtrong bottom, our ſpeculations may ſwing in all directions, without public detriment; becauſe they will ride with ſure anchorage.

In this manner theſe things have been always conſidered by our anceſtors. There are ſome indeed who have the art of turning the very acts of parliament which were made for ſecuring the hereditary ſucceſſion in the preſent royal family by rendering it penal to doubt of the validity of thoſe acts of parliament, into an inſtrument for defeating all their ends and purpoſes: but upon grounds ſo very fooliſh, that it is not worth while to take further notice of ſuch ſophiſtry.

To prevent any unneceſſary ſubdiviſion, I ſhall here put together what may be neceſſary to ſhew the perfect agreement of the Whigs with Mr. Burke, in his aſſertions, that the Revolution made no " eſſential change in the conſtitution of the mo- " narchy, or in any of its ancient, ſound, and " legal principles; that the ſucceſſion was ſettled " in the Hanover family, upon the idea, and in the " mode of an hereditary ſucceſſion qualified with " Proteſtantiſm; that it was not ſettled upon *elective* " principles, in any ſenſe of the word *elective*, or " under any modification or deſcription of *election* " whatſoever; but, on the contrary, that the nation, " after the Revolution, renewed by a freſh compact " the ſpirit of the original compact of the ſtate,

" binding

" binding itſelf, *both in its exiſting members and all its*
" *poſterity*, to adhere to the ſettlement of an here-
" ditary ſucceſſion in the Proteſtant line, drawn
" from James the Firſt, as the ſtock of inheritance."

Sir John Hawles.

' If he [Dr. Sacheverel] is of the opinion he pre-
' tends, I cannot imagine how it comes to paſs, that
' he that pays that deference to the ſupreme power
' has preached ſo directly contrary to the determina-
' tions of the ſupreme power in this government; he
' very well knowing that the lawfulneſs of the Revo-
' lution, and of the means whereby it was brought
' about, has already been determined by the aforeſaid
' acts of parliament: and do it in the worſt manner he
' could invent. *For queſtioning the right to the crown*
' *here in England, has procured the ſhedding of more*
' *blood, and cauſed more ſlaughter, than all the other*
' *matters tending to diſturbances in the government, put*
' *together.* If, therefore, the doctrine which the
' apoſtles had laid down, was only to continue the
' peace of the world, as thinking the death of ſome
' few particular perſons better to be borne with
' than a civil war; ſure it is the higheſt breach of
' that law to queſtion the firſt principles of this
' government.'

Neceſſity of ſettling the right of the crown, and ſubmiſſion to the ſettlement.

' If the Doctor had been contented with the liberty
' he took of preaching up the duty of paſſive obedi-
' ence, in the moſt extenſive manner he had thought
' fit, and would have ſtopped there, your lordſhips
' would not have had the trouble, in relation to
' him, that you now have; but it is plain, that he
' preached up his abſolute and unconditional obe-
' dience, not *to continue the peace and tranquillity of*
' *this nation, but to ſet the ſubjects at ſtrife, and to raiſe*
' *a war in the bowels of this nation*; and it is for *this*
' that he is now proſecuted; though he would fain
' have it believed that the proſecution was for

' preaching the peaceable doctrine of abſolute obe-
' dience.'

* * * * * * * * * *

Sir Joseph Jekyl.

Whole frame of government reſtored unhurt on the Revolution.

' The whole tenor of the adminiſtration, then in
' being, was agreed by all to be *a total departure*
' *from the conſtitution.* The nation was at that time
' united in that opinion, all but the criminal part
' of it. And as the nation joined in the judgment
' of their diſeaſe, ſo they did in the remedy. *They*
' *ſaw there was no remedy left, but the laſt*; and when
' that remedy took place, *the whole frame of the go-*
' *vernment was reſtored entire and unhurt* *. This
' ſhewed the excellent temper the nation was in at
' that time, that, after ſuch provocations from an
' abuſe of the regal power, and ſuch a convulſion,
' *no one part of the conſtitution was altered, or ſuffer-*
' *ed the leaſt damage*; *but, on the contrary, the whole*
' *received new life and vigour.*'

* * * * * * * * * *

The Tory council for Dr. Sacheverel having inſinuated, that a great and eſſential alteration in the conſtitution had been wrought by the Revolution, Sir Joſeph Jekyl is ſo ſtrong on this point,

* ' What we did was, in truth and ſubſtance and in a conſtitu-
' tional light, a revolution, not made, but prevented. We took
' ſolid ſecurities; we ſettled doubtful queſtions; we corrected ano-
' malies in our law. In the ſtable fundamental parts of our con-
' ſtitution we made no revolution; no, nor any alteration at all.
' We did not impair the monarchy. Perhaps it might be ſhewn
' that we ſtrengthened it very conſiderably. The nation kept the
' ſame ranks, the ſame orders, the ſame privileges, the ſame fran-
' chiſes, the ſame rules for property, the ſame ſubordinations, the
' ſame order in the law, in the revenue, and in the magiſtracy;
' the ſame lords, the ſame commons, the ſame corporations, the
' ſame electors.' *Mr. Burke's ſpeech in the Houſe of Commons, 9th February* 1790. It appears how exactly he coincides in every thing with Sir Joſeph Jekyl.

that

that he takes fire even at the inſinuation of his being of ſuch an opinion.

Sir Joseph Jekyl.

'If the Doctor inſtructed his counſel to inſinu- 'ate that there was *any innovation in the conſtitution* 'wrought by the *Revolution*, *it is an addition to his* 'crime. *The Revolution did not introduce any inno-* 'vation; *it was a reſtoration of the antient funda-* 'mental *conſtitution of the kingdom*, and giving it its 'proper force and energy.'

No innovation at the Revolution.

* * * * * * * * * * *

The Solicitor General, Sir Robert Eyre, diſtinguiſhes expreſsly the caſe of the Revolution, and its principles, from a proceeding at pleaſure, on the part of the people, to change their antient conſtitution, and to frame a new government for themſelves. He diſtinguiſhes it with the ſame care from the principles of regicide, and republicaniſm, and the ſorts of reſiſtance condemned by the doctrines of the church of England, and, which ought to be condemned, by the doctrines of all churches profeſſing Chriſtianity.

Mr. Solicitor General, Sir Robert Eyre.

'The reſiſtance at the Revolution, which was 'founded in *unavoidable neceſſity*, could be no de- 'fence to a man that was attacked *for aſſerting* 'that *the people might cancel their allegiance at plea-* 'ſure, *or dethrone and murder their ſovereign by a* 'judiciary *ſentence*. For it can never be inferred 'from the lawfulneſs of reſiſtance, at a time when 'a *total ſubverſion of the government both in church* 'and *ſtate was intended*, that a people may take 'up arms, and *call their ſovereign to account at* 'pleaſure; and, therefore, ſince *the Revolution could* 'be of *no ſervice in giving the leaſt colour for aſſerting*

Revolution no precedent for voluntary cancelling allegiance.

'*any ſuch wicked principle*, the Doctor could never
'intend to put it into the mouths of thoſe new
'preachers, and new politicians, for a defence;
'unleſs it be his opinion, that the reſiſtance at the
'Revolution can bear any parallel with the *execra-*
'*ble murder of the royal martyr, ſo juſtly deteſted by the*
'*whole nation.*

Revolution not like the caſe of Charles the Firſt.

'It is plain that the Doctor is not impeached
'for preaching a general doctrine, and enforcing
'the general duty of obedience, but for preaching
'againſt an *excepted caſe, after he has ſtated the ex-*
'*ception.* He is not impeached for preaching the
'general doctrine of obedience, and the utter ille-
'gality of reſiſtance upon any pretence whatſoever;
'but becauſe, having firſt laid down the general
'doctrine as true, without any exception, *he ſtates*
'*the excepted caſe*, the Revolution, in expreſs terms,
'as an objection; and then aſſuming the conſide-
'ration of that excepted caſe, denies there was any
'reſiſtance in the Revolution; and aſſerts, that to
'impute reſiſtance to the Revolution, would caſt
'black and odious colours upon it. This is not
'preaching the doctrine of non-reſiſtance, in the
'*general* terms uſed by the homilies, and the fa-
'thers of the church, where caſes of neceſſity may
'be *underſtood to be excepted by a tacit implication, as*
'*the counſel have allowed*; but is preaching directly
'againſt the reſiſtance at the Revolution, which, in
'the courſe of this debate, has been all along ad-
'mitted to *be neceſſary and juſt*, and can have
'no other meaning than to bring a diſhonour
'upon the Revolution, and an odium upon thoſe

Sacheverel's doctrine intended to bring an odium on the Revolution.

'great and illuſtrious perſons, *thoſe friends to the*
'*monarchy and the church, that aſſiſted in bringing it*
'*about.* For had the Doctor intended any thing elſe,
'he would have treated the caſe of the Revolution
'in a different manner, and have given *it the true*
'*and fair anſwer*; he would have ſaid, that the re-

True defence of the

'ſiſtance

'ſiſtance at the Revolution was *of abſolute neceſſity*, *and the only means left to revive the conſtitution*; *and muſt therefore be taken as an excepted caſe*, and could never come within the reach and intention of the general doctrine of the church.

Revolution on abſolute neceſſity.

'Your lordſhips take notice on what grounds the Doctor continues to aſſert the ſame poſition in his anſwer. But is it not moſt evident, that the general exhortations to be met with in the homilies of the church of England, and ſuch like declarations in the ſtatutes of the kingdom, are meant only as rules for the civil obedience of the ſubject to the legal adminiſtration of the ſupreme power in *ordinary caſes?* And it is equally abſurd, to conſtrue any words in a poſitive law to authorize the deſtruction of the whole, as to expect that king, lords, and commons ſhould, in expreſs terms of law, declare *ſuch an ultimate reſort as the right of reſiſtance, at a time when the caſe ſuppoſes that the force of all law is ceaſed* *.

'The Commons muſt always reſent, with the utmoſt deteſtation and abhorrence, every poſition that may ſhake the authority of that act of parliament, whereby the crown is ſettled upon her majeſty, *and whereby the lords ſpiritual and temporal and commons do, in the name of all the people of England, moſt humbly and faithfully ſubmit themſelves, their heirs and poſterities, to her majeſty*, which this general principle of abſolute non-reſiſtance muſt certainly ſhake.

Commons abhor whatever ſhakes the ſubmiſſion of poſterity to the ſettlement of the crown.

'For, if the reſiſtance at the Revolution was illegal, the Revolution ſettled in uſurpation, and this act can have no greater force and authority than an act paſſed under an uſurper.

'And the Commons take leave to obſerve, that the authority of the parliamentary ſettlement is a

* See Reflections, p. 42, 43.

'matter

' matter of the greateſt conſequence to maintain, in
' a caſe where the hereditary right to the crown is
' conteſted.

' It appears by the ſeveral inſtances mentioned in
' the act declaring the rights and liberties of the
' ſubject, and ſettling the ſucceſſion of the crown,
' that at the time of the Revolution there was *a*
' *total ſubverſion of the conſtitution of government both*
' *in church and ſtate, which is a caſe that the laws*
' *of England could never ſuppoſe, provide for, or have*
' *in view.*'

* * * * * * * * *

Sir Joſeph Jekyl, ſo often quoted, conſidered the preſervation of the monarchy, and of the rights and prerogatives of the crown, as eſſential objects with all ſound Whigs; and that they were bound, not only to maintain them when injured or invaded, but to exert themſelves as much for their re-eſtabliſhment, if they ſhould happen to be over thrown by popular fury, as any of their own more immediate and popular rights and privileges, if the latter ſhould be at any time ſubverted by the crown. For this reaſon he puts the caſes of the *Revolution* and the *Reſtoration*, exactly upon the ſame footing. He plainly marks, that it was the object of all honeſt men, not to ſacrifice one part of the conſtitution to another; and much more, not to ſacrifice any of them to viſionary theories of the rights of man; but to preſerve our whole inheritance in the conſtitution, in all its members and all its relations, entire, and unimpaired, from generation to generation. In this Mr. Burke exactly agrees with him.

SIR JOSEPH JEKYL.

What are the rights of the people.

' Nothing is plainer than that the people have
' a right to the laws and the conſtitution. This
' right

'right the nation hath aſſerted, and recovered out
'of the hands of thoſe who had diſpoſſeſſed them
'of it at ſeveral times. There are of this *two*
'*famous inſtances* in the knowledge of the preſent
'age; I mean that of the *Reſtauration*, and that
'of the *Revolution*; in both of theſe great events
'were the *regal power*, and the *rights of the people*
'recovered. And it is *hard to ſay in which the*
'*people have the greateſt intereſt*; *for the commons*
'*are ſenſible that there is not one legal power be-*
'*longing to the crown, but they have an intereſt in it*;
'*and I doubt not but they will always be as careful*
'*to ſupport the rights of the crown, as their own*
'*privileges*.'

Reſtoration and Revolution.

People have an equal intereſt in the legal rights of the crown and of their own.

The other Whig managers regarded (as he did) the overturning, of the monarchy by a republican faction with the very ſame horror and deteſtation with which they regarded the deſtruction of the privileges of the people by an arbitrary monarch.

Mr. Lechmere,

Speaking of our conſtitution, ſtates it as 'a
'conſtitution which happily recovered itſelf, at
'the Reſtoration, from the confuſions and diſ-
'orders which *the horrid and deteſtable proceed-*
'*ings of faction and uſurpation had thrown it into*,
'and which, after many convulſions and ſtruggles,
'was providentially ſaved at the late happy Revo-
'lution; and, by the many good laws paſſed ſince
'that time, ſtands now upon a firmer foundation:
'together with the moſt comfortable proſpect of
'*ſecurity to all poſterity*, by the ſettlement of the
'crown in the Proteſtant line.'

Conſtitution recovered at the reſtoration and revolution.

* * * * * * * * *

I mean

I mean now to ſhew that the Whigs, (if Sir Joſeph Jekyl was one) and if he ſpoke in conformity to the ſenſe of the Whig houſe of commons and the Whig miniſtry who employed him, did carefully guard againſt any preſumption that might ariſe from the repeal of the non-reſiſtance oath of Charles the ſecond, as if, at the Revolution, the antient principles of our government were at all changed—or that republican doctrines were countenanced, —or any ſanction given to ſeditious proceedings upon general undefined ideas of miſconduct—or for changing the form of government—or for reſiſtance upon any other ground than the *neceſſity* ſo often mentioned for the purpoſe of ſelf-preſervation. It will ſhew ſtill more clearly the equal care of the then Whigs, to prevent either the regal power from being ſwallowed up on pretence of popular rights, or the popular rights from being deſtroyed on pretence of regal prerogatives.

Sir Joseph Jekyl.

Miſchief of broaching antimonarchical principles.

'Further, I deſire it may be conſidered, that
'theſe legiſlators [the legiſlators who framed the
'non-reſiſtance oath of Charles the Second] were
'guarding againſt the conſequences of thoſe *per-*
'*nicious and antimonarchical principles, which had*
'*been broached a little before in this nation*; and thoſe
'large declarations in favour of *non-reſiſtance* were
'made to encounter or obviate the *miſchief* of
'thoſe principles; as appears by the preamble to
'the fulleſt of thoſe acts, which is the *militia act*, in
'the 13th and 14th of King Charles the Second.

Two caſes of reſiſtance, one to preſerve the crown, the other the rights of the ſubject.

'The words of that act are theſe: *And, during the*
'*late uſurped governments, many evil and rebellious*
'*principles have been inſtilled into the minds of the*
'*people of this kingdom, which may break forth, unleſs*
'*prevented, to the diſturbance of the peace and quiet*
'*thereof:*

'*thereof: Be it therefore enacted, &c.* Here your
'lordſhips may ſee the reaſon that inclined thoſe
'legiſlators to expreſs themſelves in ſuch a manner
'againſt reſiſtance. *They had ſeen the regal rights*
'*ſwallowed up, under the pretence of popular ones*; and
'it is no imputation on them that they did not then
'foreſee a *quite different caſe*, as was that of the Re-
'volution; where, under the pretence of regal au-
'thority, a total ſubverſion of the rights of the ſubject
'was advanced, and in a manner effected. And this
'may ſerve to ſhew, that it was not the deſign of
'thoſe legiſlators to condemn reſiſtance, in a caſe *of*
'*abſolute neceſſity, for preſerving the conſtitution*, when
'they were guarding againſt principles which had ſo
'lately deſtroyed it.

'As to the truth of the doctrine in this declara-
'tion which was repealed, *I will admit it to be as*
'*true as the Doctor's counſel aſſert it; that is, with*
'*an exception of caſes of neceſſity*; and it was not re-
'pealed becauſe it was falſe, *underſtanding it with*
'*that reſtriction*; but it was repealed becauſe it
'might be interpreted in *an unconfined ſenſe, and ex-*
'*cluſive of that reſtriction*; and being ſo underſtood,
'would reflect on the juſtice of the Revolution:
'and this the legiſlature had at heart, and were
'very jealous of; and by this repeal of that decla-
'ration, gave a parliamentary or legiſlative admo-
'nition, againſt aſſerting this doctrine of non-re-
'ſiſtance *in an unlimited ſenſe.*' — — —

Non-reſiſtance oath not repealed, becauſe (with the reſtriction of neceſſity) it was taken but to prevent falſe interpretations.

'Though the general doctrine of non-reſiſtance,
'the doctrine of the church of England, as ſtated
'in her homilies, or elſewhere delivered, by which
'the general duty of ſubjects to the higher powers
'is taught, be owned to be, as unqueſtionably it
'is, *a godly and wholeſome doctrine*; though this
'general doctrine has been conſtantly inculcated by
'the reverend fathers of the church, dead and
'living, and preached by them as a preſervative
'againſt

General doctrine of non-reſiſtance godly and wholeſome; not bound to ſtate *explicitly* the exceptions.

'against the popiſh doctrine of depoſing princes,
'and as the ordinary rule of obedience; and
'though the ſame doctrine has been preached,
'maintained, and avowed by our moſt orthodox
'and able divines from the time of the Reforma-
'tion; and how *innocent a man* Dr. Sacheverel
'had been, if, *with an honeſt and well-meant* zeal,
'he had preached the ſame doctrine in the ſame
'general terms in which he found it delivered by
'the apoſtles of Chriſt, as taught by the homilies,
'and the reverend fathers of our church, and,
'in imitation of thoſe great examples, had only
'preſſed the general duty of obedience, and the il-
'legality of reſiſtance, without taking notice of
'any exception.'

* * * * * * * * * * * * *

Another of the managers for the houſe of commons, Sir John Holland, was not leſs careful in guarding againſt a confuſion of the principles of the revolution, with any looſe general doctrines of a right in the individual, or even in the people, to undertake for themſelves, on any prevalent temporary opinions of convenience or improvement, any fundamental change in the conſtitution, or to fabricate a new government for themſelves, and thereby to diſturb the public peace, and to unſettle the antient conſtitution of this kingdom.

Sir John Holland.

Submiſſion to the ſovereign a conſcientious duty, except in caſes of neceſſity.

'The commons would not be underſtood, as if
'they were pleading for a licentious reſiſtance; as if
'*ſubjects* were left to *their* good-will and pleaſure,
'when they are to *obey*, and when to *reſiſt*. No,
'my lords, they know they are *obliged by all the ties*
'*of ſocial creatures and Chriſtians, for wrath and*
'*conſcience*

'*conſcience ſake, to ſubmit to their ſovereign.* The 'commons do not abet *humourſome factious arms:* 'they aver them to be *rebellious.* But yet they 'maintain, that that reſiſtance at the Revolution, 'which was ſo *neceſſary, was lawful and juſt from* '*that neceſſity.*

'Theſe general rules of obedience may, upon a '*real neceſſity*, admit a lawful *exception*; and ſuch a '*neceſſary exception* we aſſert the revolution to be.

'*'Tis* with this view of *neceſſity* only, *abſolute* '*neceſſity* of preſerving our laws, liberties, and 'religion; 'tis with *this limitation* that we deſire to 'be underſtood, when any of us ſpeak of reſiſtance 'in general. The *neceſſity* of the reſiſtance at the 'Revolution, was at that time obvious to every 'man.'

Right of reſiſtance how to be underſtood.

* * * * * * * * * *

I ſhall conclude theſe extracts with a reference to the prince of Orange's declaration, in which he gives the nation the fulleſt aſſurance that in his enterprize he was far from the intention of introducing any change whatever in the fundamental law and conſtitution of the ſtate. He conſidered the object of his enterprize, not to be a precedent for further revolutions, but that it was the great end of his expedition to make ſuch revolutions ſo far as human power and wiſdom could provide, unneceſſary.

Extracts from the Prince of Orange's Declaration.

'*All magiſtrates, who have been* unjuſtly turned out, ſhall *forthwith reſume their former* employments, as well as all the boroughs of England ſhall return again to *their antient preſcriptions and charters:* and more particularly, that

'*the*

'*the antient* charter of the great and famous ci-
'ty of London ſhall be again in force. And that
'the writs for the members of parliament ſhall
'be addreſſed to the *proper officers, according to*
'*law and cuſtom.* — — —

'And for the doing of all other things, which the
'two houſes of parliament ſhall find neceſſary for
'the peace, honour, and ſafety of the nation, ſo that
'there may *be no danger of the nation's falling, at*
'*any time hereafter, under arbitrary government.*'

Extract from the Prince of Orange's additional Declaration.

'We are confident that no perſons can have *ſuch*
'*hard thoughts of us*, as to imagine that we have
'any other deſign in this undertaking, than to pro-
'cure a ſettlement of the *religion, and of the liberties*
'*and properties of the ſubjects, upon ſo ſure a founda-*
'*tion, that there may be no danger of the nation's re-*
'*lapſing into the like miſeries at any time hereafter.*
'And, as the forces that we have brought along with
'us are utterly diſproportioned to that wicked de-
'ſign of conquering the nation, if we were capable
'of intending it; *ſo the great numbers of the principal*
'*nobility and gentry, that are men of eminent quality*
'*and eſtates, and perſons of known integrity and zeal,*
'*both for the religion and government of England,*
'*many of them alſo being diſtinguiſhed by their conſtant*
'*fidelity to the crown*, who do both accompany us in
'this expedition, and have earneſtly ſolicited us
'to it, will cover us from all ſuch malicious inſi-
'nuations.'

Principal nobility and gentry well affected to the church and crown ſecurity againſt the deſign of innovation.

In the ſpirit, and upon one occaſion in the words *, of this declaration, the ſtatutes paſſed in that reign made ſuch proviſions for preventing theſe dangers, that ſcarcely any thing ſhort of combination

* Declaration of Right.

of

of king, lords, and commons for the deſtruction of the liberties of the nation, can in any probability make us liable to ſimilar perils. In that dreadful, and, I hope, not to be looked for caſe, any opinion of a right to make revolutions, grounded on this precedent, would be but a poor reſource.—Dreadful indeed would be our ſituation.

Theſe are the doctrines held by *the Whigs of the Revolution*, delivered with as much ſolemnity, and as authentically at leaſt, as any political dogmas were ever promulgated from the beginning of the world. If there be any difference between their tenets and thoſe of Mr. Burke it is, that the old Whigs oppoſe themſelves ſtill more ſtrongly than he does againſt the doctrines which are now propagated with ſo much induſtry by thoſe who would be thought their ſucceſſors.

It will be ſaid perhaps, that the old Whigs, in order to guard themſelves againſt popular odium, pretended to aſſert tenets contrary to thoſe which they ſecretly held. This, if true, would prove, what Mr. Burke has uniformly aſſerted, that the extravagant doctrines which he meant to expoſe, were diſagreeable to the body of the people; who, though they perfectly abhor a deſpotic government, certainly approach more nearly to the love of mitigated monarchy, than to any thing which bears the appearance even of the beſt republic. But if theſe old Whigs deceived the people, their conduct was unaccountable indeed. They expoſed their power, as every one converſant in hiſtory knows, to the greateſt peril, for the propagation of opinions which, on this hypotheſis, they did not hold. It is a new kind of martyrdom. This ſuppoſition does as little credit to their integrity as their wiſdom: It makes them at once hypocrites and fools. I think of thoſe great men very differently. I hold them to have been, what the world thought them,

men of deep underſtanding, open ſincerity, and clear honour. However, be that matter as it may; what theſe old Whigs pretended to be, Mr. Burke is. This is enough for him.

I do indeed admit, that though Mr. Burke has proved that his opinions were thoſe of the old Whig party, ſolemnly declared by one houſe, in effect and ſubſtance by both houſes of parliament, this teſtimony ſtanding by itſelf will form no proper defence for his opinions, if he and the old Whigs were both of them in the wrong. But it is his preſent concern, not to vindicate theſe old Whigs, but to ſhew his agreement with them.—He appeals to them as judges: he does not vindicate them as culprits. It is current that theſe old politicians knew little of the rights of men; that they loſt their way by groping about in the dark, and fumbling among rotten parchments and muſty records. Great lights they ſay are lately obtained in the world; and Mr. Burke, inſtead of ſhrowding himſelf in exploded ignorance, ought to have taken advantage of the blaze of illumination which has been ſpread about him. It may be ſo. The enthuſiaſts of this time, it ſeems, like their predeceſſors in another faction of fanaticiſm, deal in lights.—Hudibras pleaſantly ſays of them, they

> " Have *lights*, where better eyes are blind,
> " As pigs are ſaid to ſee the wind."

The author of the Reflections has *heard* a great deal concerning the modern lights; but he has not yet had the good fortune to *ſee* much of them. He has read more than he can juſtify to any thing but the ſpirit of curioſity, of the works of theſe illuminators of the world. He has learned nothing from the far greater number of them, than a full certainty of their ſhallowneſs, levity, pride, petulance, preſumption and ignorance.

Where

Where the old authors whom he has read, and the old men whom he has converſed with, have left him in the dark; he is in the dark ſtill. If others, however, have obtained any of this extraordinary light, they will uſe it to guide them in their reſearches and their conduct. I have only to wiſh, that the nation may be as happy and as proſperous under the influence of the new light, as it has been in the ſober ſhade of the old obſcurity. As to the reſt, it will be difficult for the author of the Reflections to conform to the principles of the avowed leaders of the party, until they appear otherwiſe than negatively. All we can gather from them is this, that their principles are diametrically oppoſite to his. This is all that we know from authority. Their negative declaration obliges me to have recourſe to the books which contain poſitive doctrines. They are indeed, to thoſe Mr. Burke holds, diametrically oppoſite; and if it be true, (as they have ſaid, I hope haſtily) that their opinions differ ſo widely, it ſhould ſeem they are the moſt likely to form the creed of the modern Whigs.

I have ſtated what were the avowed ſentiments of the old Whigs, not in the way of argument, but narratively; it is but fair to ſet before the reader, in the ſame ſimple manner, the ſentiments of the modern, to which they ſpare neither pains nor expence to make proſelytes. I chooſe them from the books upon which moſt of that induſtry and expenditure in circulation have been employed; I chooſe them not from thoſe who ſpeak with a politic obſcurity; not from thoſe who only controvert the opinions of the old Whigs, without advancing any of their own, but from thoſe who ſpeak plainly and affirmatively. The Whig reader may make his choice between the two doctrines.

The doctrine then propagated by theſe ſocieties, which gentlemen think they ought to be very

tender in diſcouraging, as nearly as poſſible in their own words, is as follows: that in Great Britain we are not only without a good conſtitution, but that we have "no conſtitution." That, "tho' it is much talked about, no ſuch thing as a "conſtitution exiſts, or ever did exiſt; and conſe-"quently that *the people have a conſtitution yet to* "*form*; that ſince William the Conqueror, the "country has never yet *regenerated itſelf*, and is "therefore without a conſtitution. That where "it cannot be produced in a viſible form, there is "none. That a conſtitution is a thing antecedent "to government; and that the conſtitution of a "country is not the act of its government, but of "a people conſtituting a government. That *every* "*thing* in the Engliſh government is the reverſe "of what it ought to be, and what it is ſaid to be "in England. That the right of war and peace "reſides in a metaphor ſhewn at the Tower, for "ſix pence or a ſhilling a-piece.—That it ſig-"nifies not where the right reſides, whether in the "crown or in parliament. War is the common "harveſt of thoſe who participate in the diviſion "and expenditure of public money. That the "portion of liberty enjoyed in England is juſt "enough to enſlave a country more productively "than by deſpotiſm."

So far as to the general ſtate of the Britiſh conſtitution.—As to our houſe of lords, the chief virtual repreſentative of our ariſtocracy, the great ground and pillar of ſecurity to the landed intereſt, and that main link by which it is connected with the law and the crown, theſe worthy ſocieties are pleaſed to tell us, that, "whether we view ariſtocracy before, or "behind, or ſide-ways, or any way elſe, domeſtically "or publicly, it is ſtill a *monſter*. That ariſtocracy "in France had one feature leſs in its countenance "than what it has in ſome other countries; it did

"not

" not compoſe a body of hereditary legiſlators. It " was not a corporation of ariſtocracy ;"—for ſuch it ſeems that profound legiſlator Mr. De la Fayette deſcribes the houſe of peers. " That it is " kept up by family tyranny and injuſtice—that " there is an unnatural unfitneſs in ariſtocracy to be " legiſlators for a nation—that their ideas of diſ- " tributive juſtice are corrupted at the very ſource ; " they begin life by trampling on all their younger " brothers, and ſiſters, and relations of every kind, " and are taught and educated ſo to do.—That the " idea of an hereditary legiſlator is as abſurd as an " hereditary mathematician. That a body holding " themſelves unaccountable to any body, ought to " be truſted by no body—that it is continuing the " uncivilized principles of governments founded in " conqueſt, and the baſe idea of man having a pro- " perty in man, and governing him by a perſonal " right—that ariſtocracy has a tendency to dege- " nerate the human ſpecies," &c. &c.

As to our law of primogeniture, which with few and inconſiderable exceptions is the ſtanding law of all our landed inheritance, and which without queſtion has a tendency, and I think a moſt happy tendency, to preſerve a character of conſequence, weight, and prevalent influence over others in the whole body of the landed intereſt, they call loudly for its deſtruction. They do this for political reaſons that are very manifeſt. They have the confidence to ſay, " that it is a law againſt every law " of nature, and nature herſelf calls for its deſtruc- " tion. Eſtabliſh family juſtice, and ariſtocracy " falls. By the ariſtocratical law of primogeni- " tureſhip, in a family of ſix children, five are " expoſed. Ariſtocracy has never but *one* child. " The reſt are begotten to be devoured. They " are thrown to the cannibal for prey, and the na- " tural parent prepares the unnatural repaſt."

As to the houſe of commons, they treat it far worſe than the houſe of lords or the crown have been ever treated. Perhaps they thought they had a greater right to take this amicable freedom with thoſe of their own family. For many years it has been the perpetual theme of their invectives.— " Mockery, inſult, uſurpation," are amongſt the beſt names they beſtow upon it. They damn it in the maſs, by declaring " that it does not ariſe " out of the inherent rights of the people, as the " national aſſembly does in France, and whoſe " name deſignates its original."

Of the charters and corporations, to whoſe rights, a few years ago, theſe gentlemen were ſo tremblingly alive, they ſay, " that when the people of " England come to reflect upon them, they will, " like France, annihilate thoſe badges of oppreſ- " ſion, thoſe traces of a conquered nation."

As to our monarchy, they had formerly been more tender of that branch of the conſtitution, and for a good reaſon. The laws had guarded againſt all ſeditious attacks upon it, with a greater degree of ſtrictneſs and ſeverity. The tone of theſe gentlemen is totally altered ſince the French Revolution. They now declaim as vehemently againſt the monarchy, as in former occaſions they treacherouſly flattered and ſoothed it.

" When we ſurvey the wretched condition of " man under the monarchical and hereditary ſyſtems " of government, dragged from his home by one " power, or driven by another, and impoveriſhed " by taxes more than by enemies, it becomes evi- " dent that thoſe ſyſtems are bad, and that a ge- " neral revolution in the principle and conſtruction " of governments is neceſſary,

" What is government more than the manage- " ment of the affairs of a nation? It is not, and " from its nature cannot be, the property of any

" particular

" particular man or family, but of the whole com-
" munity, at whoſe expence it is ſupported; and
" though by force or contrivance it has been uſurp-
" ed into an inheritance, the uſurpation cannot
" alter the right of things. Sovereignty, as a
" matter of right, appertains to the nation only,
" and not to any individual; and a nation has at
" all times an inherent indefeaſible right to aboliſh
" any form of government it finds inconvenient,
" and eſtabliſh ſuch as accords with its intereſt,
" diſpoſition, and happineſs. The romantic and
" barbarous diſtinction of men into kings and ſub-
" jects, though it may ſuit the condition of cour-
" tiers, cannot that of citizens; and is exploded
" by the principle upon which governments are
" now founded. Every citizen is a member of
" the ſovereignty, and, as ſuch, can acknowledge
" no perſonal ſubjection; and his obedience can be
" only to the laws."

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Warmly recommending to us the example of France, where they have deſtroyed monarchy, they ſay—

" Monarchical ſovereignty, the enemy of man-
" kind, and the ſource of miſery, is aboliſhed; and
" ſovereignty itſelf is reſtored to its natural and
" original place, the nation. Were this the caſe
" throughout Europe, the cauſe of wars would be
" taken away."

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" But, after all, what is this metaphor called a
" crown, or rather what is monarchy? Is it a thing,
" or is it a name, or is it a fraud? Is it 'a con-
" trivance of human wiſdom,' or of human craft
" to obtain money from a nation under ſpecious
" pretences? Is it a thing neceſſary to a nation?
" If it is, in what does that neceſſity conſiſt, what
" ſervices does it perform, what is its buſineſs, and

" what

" what are its merits? Doth the virtue conſiſt in
" the metaphor, or in the man? Doth the gold-
" ſmith that makes the crown make the virtue al-
" ſo? Doth it operate like Fortunatus's wiſhing-
" cap, or Harlequin's wooden ſword? Doth it make
" a man a conjuror? In fine, what is it? It ap-
" pears to be a ſomething going much out of
" faſhion, falling into ridicule, and rejected in ſome
" countries both as unneceſſary and expenſive. In
" America it is conſidered as an abſurdity; and in
" France it has ſo far declined, that the goodneſs
" of the man, and the reſpect for his perſonal cha-
" racter, are the only things that preſerve the ap-
" pearance of its exiſtençe."

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" Mr. Burke talks about what he calls an here-
" ditary crown, as if it were ſome production of
" Nature; or as if, like Time, it had a power to
" operate, not only independently, but in ſpite of
" man; or as if it were a thing or a ſubject uni-
" verſally conſented to. Alas! it has none of thoſe
" properties, but is the reverſe of them all. It is a
" thing in imagination, the propriety of which is
" more than doubted, and the legality of which
" in a few years will be denied."

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" If I aſk the farmer, the manufacturer, the
" merchant, the tradeſman, and down through all
" the occupations of life to the common labourer,
" what ſervice monarchy is to him? he can give
" me no anſwer. If I aſk him what monarchy is,
" he believes it is ſomething like a ſinecure.

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" The French conſtitution ſays, That the right
" of war and peace is in the nation. Where elſe
" ſhould it reſide, but in thoſe who are to pay the
" expence?

" In England, this right is ſaid to reſide in a *me-*
" *taphor*,

" *taphor*, ſhewn at the Tower for ſixpence or a
" ſhilling a-piece: So are the lions; and it would
" be a ſtep nearer to reaſon to ſay it reſided in
" them, for any inanimate metaphor is no more
" than a hat or a cap. We can all ſee the abſurdi-
" ty of worſhipping Aaron's molten calf, or Nebu-
" chadnezzar's golden image; but why do men
" continue to practiſe themſelves the abſurdities they
" deſpiſe in others?"

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The Revolution and Hanover ſucceſſion had been objects of the higheſt veneration to the old Whigs. They thought them not only proofs of the ſober and ſteady ſpirit of liberty which guided their anceſtors; but of their wiſdom and provident care of poſterity.—The modern Whigs have quite other notions of theſe events and actions. They do not deny that Mr. Burke has given truly the words of the acts of parliament which ſecured the ſucceſſion, and the juſt ſenſe of them. They attack not him but the law.

" Mr. Burke (ſay they) has done ſome ſervice,
" not to his cauſe, but to his country, by bringing
" thoſe clauſes into public view. They ſerve to
" demonſtrate how neceſſary it is at all times to watch
" againſt the attempted encroachment of power,
" and to prevent its running to exceſs. It is ſome-
" what extraordinary, that the offence for which
" James II. was expelled, that of ſetting up power
" by *aſſumption*, ſhould be re-acted, under another
" ſhape and form, by the parliament that expelled
" him. It ſhews that the rights of man were but
" imperfectly underſtood at the Revolution; for,
" certain it is, that the right which that parliament
" ſet up by *aſſumption* (for by delegation it had it not,
" and could not have it, becauſe none could give it)
" over the perſons and freedom of poſterity for ever,
" was of the ſame tyrannical unfounded kind which

" James

" James attempted to ſet up over the parliament
" and the nation, and for which he was expelled.
" The only difference is, (for in principle they dif-
" fer not), that the one was an uſurper over the
" living, and the other over the unborn; and as
" the one has no better authority to ſtand upon
" than the other, both of them muſt be equally
" null and void, and of no effect."

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" As the eſtimation of all things is by compariſon,
" the Revolution of 1688, however from circum-
" ſtances it may have been exalted beyond its va-
" lue, will find its level. It is already on the wane;
" eclipſed by the enlarging orb of reaſon, and the
" luminous revolutions of America and France. In
" leſs than another century, it will go, as well as
" Mr. Burke's labours, 'to the family vault of all
" the Capulets.' *Mankind will then ſcarcely believe*
" *that a country calling itſelf free, would ſend to*
" *Holland for a man, and clothe him with power, on*
" *purpoſe to put themſelves in fear of him, and give*
" *him almoſt a million ſterling a-year for leave to*
" *ſubmit themſelves and their poſterity, like bond-men*
" *and bond-women, for ever.*"

" Mr. Burke having ſaid that the king holds his
" crown in contempt of the choice of the Revolu-
" tion ſociety, who individually or collectively have
" not," (as moſt certainly they have not) " a vote
" for a king amongſt them, they take occaſion from
" thence to infer, that a king who does not hold
" his crown by election, deſpiſes the people."

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" The King of England," ſays he, " holds *his*
" crown (for it does not belong to the nation,
" according to Mr. Burke) in *contempt* of the choice
" of the Revolution Society." &c.

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" As to who is King in England or elſewhere,

" or

" or whether there is any King at all, or whether
" the people chuſe a Cherokee Chief, or a Heſſian
" Huſſar for a King, it is not a matter that I
" trouble myſelf about—be that to themſelves;
" but with reſpect to the doctrine, ſo far as it re-
" lates to the Rights of Men and Nations, it is
" as abominable as any thing ever uttered in the
" moſt enſlaved country under heaven. Whether
" it ſounds worſe to my ear, by not being accuſ-
" tomed to hear ſuch deſpotiſm, than what it does
" to the ear of another perſon, I am not ſo well
" a judge of; but of its abominable principle I
" am at no loſs to judge."

Theſe ſocieties of modern Whigs puſh their inſolence as far as it can go. In order to prepare the minds of the people for treaſon and rebellion, they repreſent the king as tainted with principles of deſpotiſm, from the circumſtance of his having dominions in Germany. In direct defiance of the moſt notorious truth, they deſcribe his government there to be a deſpotiſm; whereas it is a free conſtitution, in which the ſtates of the electorate have their part in the government; and this privilege has never been infringed by the king, or, that I have heard of, by any of his predeceſſors. The conſtitution of the electoral dominions has indeed a double control, both from the laws of the empire, and from the privileges of the country. Whatever rights the king enjoys as elector, have been always parentally exerciſed, and the calumnies of theſe ſcandalous ſocieties have not been authorized by a ſingle complaint of oppreſſion.

" When Mr. Burke ſays that ' his majeſty's
' heirs and ſucceſſors, each in their time and order,
' will come to the crown with the *ſame contempt*
' of their choice with which his majeſty has ſuc-
' ceeded to that he wears,' it is ſaying too much
" even to the humbleſt individual in the country;
" part of whoſe daily labour goes towards making

" up the million ſterling a year, which the country
" gives the perſon it ſtiles a king. Government
" with inſolence, is deſpotiſm; but when contempt
" is added, it becomes worſe; and to pay for con-
" tempt, is the exceſs of ſlavery. This ſpecies of
" government comes from Germany; and re-
" minds me of what one of the Brunſwick ſoldiers
" told me, who was taken priſoner by the Ameri-
" cans in the late war: 'Ah!' ſaid he, 'America
' is a fine free country, it is worth the people's
' fighting for; I know the difference by knowing
' my own: in my country, *if the prince ſays, Eat*
' *ſtraw, we eat ſtraw.*' " God help that country,
" thought I, be it England or elſewhere, whoſe li-
" berties are to be protected by *German principles*
" *of government, and princes of Brunſwick!*"

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" It is ſomewhat curious to obſerve, that although
" the people of England have been in the habit of
" talking about kings, it is always a Foreign Houſe
" of kings; hating Foreigners, yet governed by them.
" —It is now the Houſe of Brunſwick, one of the
" petty tribes of Germany." - - - - -

" If Government be what Mr. Burke deſcribes
" it, ' a contrivance of human wiſdom,' I might
" aſk him, if wiſdom was at ſuch a low ebb in Eng-
" land, that it was become neceſſary to import it
" from Holland and from Hanover? But I will do
" the country the juſtice to ſay, that was not the
" caſe; and even if it was, it miſtook the cargo.
" The wiſdom of every country, when properly ex-
" erted, is ſufficient for all its purpoſes; *and there*
" *could exiſt no more real occaſion in England to*
" *have ſent for a Dutch Stadtholder, or a Ger-*
" *man Elector, than* there was in America to have
" done a ſimilar thing. If a country does not un-
" derſtand its own affairs, how is a foreigner to un-
" derſtand them, who knows neither its laws, its

" manners, nor its language? If there exiſted a man
" ſo tranſcendantly wiſe above all others, that his
" wiſdom was neceſſary to inſtruct a nation, ſome
" reaſon might be offered for monarchy; but when
" we caſt our eyes about a country, and obſerve
" how every part underſtands its own affairs; and
" when we look around the world, and ſee that of all
" men in it, the race of kings are the moſt inſigni-
" ficant in capacity, our reaſon cannot fail to aſk us
" —What are thoſe men kept for?" *

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Theſe are the notions which, under the idea of Whig principles, ſeveral perſons, and among them perſons of no mean mark, have aſſociated themſelves to propagate. I will not attempt in the ſmalleſt degree to refute them. This will probably be done (if ſuch writings ſhall be thought to deſerve any other than the refutation of criminal juſtice) by others, who may think with Mr. Burke, and with the ſame zeal. He has performed his part. I ſhall content myſelf with ſhewing, as ſhortly as the matter will admit, the danger of giving to them, either avowedly or tacitly, the ſmalleſt countenance.

There are times and circumſtances, in which not to ſpeak out is at leaſt to connive. Many think it enough for them, that the principles propagated by theſe clubs and ſocieties enemies to their country and its conſtitution, are not owned by the *modern Whigs in parliament*, who are ſo warm in condemnation of Mr. Burke and his book, and of courſe of all the principles of the ancient conſtitutional Whigs of this kingdom. Certainly they are not owned. But are they condemned with the ſame zeal as Mr. Burke and his book are condemned? Are they condemned at all? Are they rejected or diſcountenanced in any way whatſoever? Is any man who would fairly examine into the de-

* Vindication of the Rights of Man, recommended by the ſeveral ſocieties.

meanour and principles of thoſe ſocieties, and that too very moderately, and in the way rather of admonition than of puniſhment, is ſuch a man even decently treated? Is he not reproached as if, in condemning ſuch principles, he had belied the conduct of his whole life, ſuggeſting that his life had been governed by principles ſimilar to thoſe which he now reprobates? The French ſyſtem is in the mean time, by many active agents out of doors, rapturouſly praiſed; The Britiſh conſtitution is coldly tolerated. But theſe conſtitutions are different, both in the foundation and in the whole ſuperſtructure; and it is plain, that you cannot build up the one but on the ruins of the other. After all, if the French be a ſuperior ſyſtem of liberty, why ſhould we not adopt it? To what end are our praiſes? Is excellence held out to us only that we ſhould not copy after it? And what is there in the manners of the people, or in the climate of France, which renders that ſpecies of republic fitted for them, and unſuitable to us? A ſtrong and marked difference between the two nations ought to be ſhewn, before we can admit a conſtant affected panegyrick, a ſtanding annual commemoration, to be without any tendency to an example.

But the leaders of party will not go the length of the doctrines taught by the ſeditious clubs. I am ſure they do not mean to do ſo. God forbid! Perhaps even thoſe who are directly carrying on the work of this pernicious foreign faction, do not all of them intend to produce all the miſchiefs which muſt inevitably follow from their having any ſucceſs in their proceedings. As to leaders in parties, nothing is more common than to ſee them blindly led. The world is governed by go-betweens. Theſe go-betweens influence the perſons with whom they carry on the intercourſe, by ſtating their own ſenſe to each of them as the ſenſe of the other; and thus they reciprocally maſter both ſides. It is firſt buzzed about the ears of leaders, " that their friends without doors

" are very eager for ſome meaſure, or very warm
" about ſome opinion — that you muſt not be
" too rigid with them. They are uſeful perſons, and
" zealous in the cauſe. They may be a little wrong;
" but the ſpirit of liberty muſt not be damped; and
" by the influence you obtain from ſome degree of
" concurrence with them at preſent, you may be
" enabled to ſet them right hereafter."

Thus the leaders are at firſt drawn to a connivance with ſentiments and proceedings, often totally different from their ſerious and deliberate notions. But their acquieſcence anſwers every purpoſe.

With no better than ſuch powers, the go-betweens aſſume a new repreſentative character. What at beſt was but an acquieſcence, is magnified into an authority, and thence into a deſire on the part of the leaders; and it is carried down as ſuch to the ſubordinate members of parties. By this artifice they in their turn are led into meaſures which at firſt, perhaps, few of them wiſhed at all, or at leaſt did not deſire vehemently or ſyſtematically.

There is in all parties, between the principal leaders in parliament, and the loweſt followers out of doors, a middle ſort of men; a ſort of equeſtrian order, who, by the ſpirit of that middle ſituation, are the fitteſt for preventing things from running to exceſs. But indeciſion, though a vice of a totally different character, is the natural accomplice of violence. The irreſolution and timidity of thoſe who compoſe this middle order, often prevents the effect of their controlling ſituation. The fear of differing with the authority of leaders on the one hand, and of contradicting the deſires of the multitude on the other, induces them to give a careleſs and paſſive aſſent to meaſures in which they never were conſulted: and thus things proceed, by a ſort of activity of inertneſs, until whole bodies, leaders, middle men,

and followers, are all hurried, with every appearance, and with many of the effects, of unanimity, into ſchemes of politics, in the ſubſtance of which no two of them were ever fully agreed, and the origin and authors of which, in this circular mode of communication, none of them find it poſſible to trace. In my experience I have ſeen much of this in affairs, which, though trifling in compariſon to the preſent, were yet of ſome importance to parties; and I have known them ſuffer by it. The ſober part give their ſanction, at firſt through inattention and levity; at laſt they give it through neceſſity. A violent ſpirit is raiſed, which the preſiding minds, after a time, find it impracticable to ſtop at their pleaſure, to control, to regulate, or even to direct.

This ſhews, in my opinion, how very quick and awakened all men ought to be, who are looked up to by the public, and who deſerve that confidence, to prevent a ſurpriſe on their opinions, when dogmas are ſpread, and projects purſued, by which the foundations of ſociety may be affected. Before they liſten even to moderate alterations in the government of their country, they ought to take care that principles are not propagated for that purpoſe, which are too big for their object. Doctrines limited in their preſent application, and wide in their general principles, are never meant to be confined to what they at firſt pretend. If I were to form a prognoſtic of the effect of the preſent machinations on the people, from their ſenſe of any grievance they ſuffer under this conſtitution, my mind would be at eaſe. But there is a wide difference between the multitude, when they act againſt their government from a ſenſe of grievance, or from zeal for ſome opinions. When men are thoroughly poſſeſſed with that zeal, it is difficult to calculate its force. It is certain, that its power is by no means in exact

proportion to its reaſonableneſs. It muſt always have been diſcoverable by perſons of reflection, but it is now obvious to the world, that a theory concerning government may become as much a cauſe of fanaticiſm as a *dogma* in religion. There is a boundary to men's paſſions when they act from feeling; none when they are under the influence of imagination. Remove a grievance, and, when men act from feeling, you go a great way towards quieting a commotion. But the good or bad conduct of a government, the protection men have enjoyed, or the oppreſſion they have ſuffered under it, are of no ſort of moment, when a faction proceeding upon ſpeculative grounds, is thoroughly heated againſt its form. When a man is, from ſyſtem, furious againſt monarchy or epiſcopacy, the good conduct of the monarch or the biſhop has no other effect than further to irritate the adverſary. He is provoked at it as furniſhing a plea for preſerving the thing which he wiſhes to deſtroy. His mind will be heated as much by the ſight of a ſceptre, a mace, or a verge, as if he had been daily bruiſed and wounded by theſe ſymbols of authority. Mere ſpectacles, mere names, will become ſufficient cauſes to ſtimulate the people to war and tumult.

Some gentlemen are not terrified by the facility with which government has been overturned in France. The people of France, they ſay, had nothing to loſe in the deſtruction of a bad conſtitution; but though not the beſt poſſible, we have ſtill a good ſtake in ours, which will hinder us from deſperate riſques. Is this any ſecurity at all againſt thoſe who ſeem to perſuade themſelves, and who labour to perſuade others, that our conſtitution is an uſurpation in its origin, unwiſe in its contrivance, miſchievous in its effects, contrary to the rights of man, and in all its parts a perfect nuiſance? What motive has any rational man, who thinks in that

manner, to ſpill his blood, or even to riſque a ſhilling of his fortune, or a moment of his leiſure, to preſerve it? If he has any duty relative to it, his duty is to deſtroy it. A conſtitution on ſufferance is a conſtitution condemned. Sentence is already paſſed upon it. The execution is only delayed. On the principles of theſe gentlemen it neither has, nor ought to have, any ſecurity. So far as regards them, it is left naked, without friends, partizans, aſſertors, or protectors.

Let us examine into the value of this ſecurity upon the principles of thoſe who are more ſober; of thoſe who think, indeed, the French conſtitution better, or at leaſt as good, as the Britiſh, without going to all the lengths of the warmer politicians in reprobating their own. Their ſecurity amounts in reality to nothing more than this;—that the difference between their republican ſyſtem and the Britiſh limited monarchy is not worth a civil war. This opinion, I admit, will prevent people, not very enterpriſing in their nature, from an active undertaking againſt the Britiſh conſtitution. But it is the pooreſt defenſive principle that ever was infuſed into the mind of man againſt the attempts of thoſe who will enterpriſe. It will tend totally to remove from their minds that very terror of a civil war which is held out as our ſole ſecurity. They who think ſo well of the French conſtitution, certainly will not be the perſons to carry on a war to prevent their obtaining a great benefit, or at worſt a fair exchange. They will not go to battle in favour of a cauſe in which their defeat might be more advantageous to the public than their victory. They muſt at leaſt tacitly abet thoſe who endeavour to make converts to a ſound opinion; they muſt diſcountenance thoſe who would oppoſe its propagation. In proportion as by theſe means the enterpriſing party is ſtrengthened, the dread of a ſtruggle

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is leſſened. See what an encouragement this is to the enemies of the conſtitution! A few aſſaſſinations, and a very great deſtruction of property, we know they conſider as no real obſtacles in the way of a grand political change. And they will hope, that here, if antimonarchical opinions gain ground, as they have done in France, they may, as in France, accompliſh a revolution without a war.

They who think ſo well of the French conſtitution cannot be ſeriouſly alarmed by any progreſs made by its partizans. Proviſions for ſecurity are not to be received from thoſe who think that there is no danger.—No! there is no plan of ſecurity to be liſtened to but from thoſe who entertain the ſame fears with ourſelves; from thoſe who think that the thing to be ſecured is a great bleſſing; and the thing againſt which we would ſecure it a great miſchief. Every perſon of a different opinion muſt be careleſs about ſecurity.

I believe the author of the Reflections, whether he fears the deſigns of that ſet of people with reaſon or not, cannot prevail on himſelf to deſpiſe them. He cannot deſpiſe them for their numbers, which, though ſmall, compared with the ſound part of the community, are not inconſiderable: he cannot look with contempt on their influence, their activity, or the kind of talents and tempers which they poſſeſs, exactly calculated for the work they have in hand, and the minds they chiefly apply to. Do we not ſee their moſt conſiderable and accredited miniſters, and ſeveral of their party of weight and importance, active in ſpreading miſchievous opinions, in giving ſanction to ſeditious writings, in promoting ſeditious anniverſaries? and what part of their deſcription has diſowned them or their proceedings? When men, circumſtanced as theſe are, publickly declare ſuch admiration of a foreign conſtitution, and ſuch contempt of our own,

it would be, in the author of the Reflections, thinking as he does of the French conſtitution, infamouſly to cheat the reſt of the nation to their ruin, to ſay there is no danger.

In eſtimating danger, we are obliged to take into our calculation the character and diſpoſition of the enemy into whoſe hands we may chance to fall. The genius of this faction is eaſily diſcerned by obſerving with what a very different eye they have viewed the late foreign revolutions. Two have paſſed before them. That of France and that of Poland. The ſtate of Poland was ſuch, that there could ſcarcely exiſt two opinions, but that a reformation of its conſtitution, even at ſome expence of blood, might be ſeen without much diſapprobation. No confuſion could be feared in ſuch an enterprize; becauſe the eſtabliſhment to be reformed was itſelf a ſtate of confuſion. A king without authority; nobles without union or ſubordination; a people without arts, induſtry, commerce, or liberty; no order within; no defence without; no effective publick force, but a foreign force, which entered a naked country at will, and diſpoſed of every thing at pleaſure. Here was a ſtate of things which ſeemed to invite and might perhaps juſtify bold enterprize and deſperate experiment. But in what manner was this chaos brought into order? The means were as ſtriking to the imagination, as ſatisfactory to the reaſon, and ſoothing to the moral ſentiments. In contemplating that change, humanity has every thing to rejoice and to glory in; nothing to be aſhamed of, nothing to ſuffer. So far as it has gone, it probably is the moſt pure and defecated public good which ever has been conferred on mankind. We have ſeen anarchy and ſervitude at once removed; a throne ſtrengthened for the protection of the people, without trenching on their liberties; all foreign cabal baniſhed, by changing the crown from elective to hereditary;

hereditary; and what was a matter of pleaſing wonder, we have ſeen a reigning king, from an heroic love to his country, exerting himſelf with all the toil, the dexterity, the management, the intrigue, in favour of a family of ſtrangers, with which ambitious men labour for the aggrandiſement of their own. Ten millions of men in a way of being freed gradually, and therefore ſafely to themſelves and the ſtate, not from civil or political chains, which, bad as they are, only fetter the mind, but from ſubſtantial perſonal bondage. Inhabitants of cities, before without privileges, placed in the conſideration which belongs to that improved and connecting ſituation of ſocial life. One of the moſt proud, numerous, and fierce bodies of nobility and gentry ever known in the world, arranged only in the foremoſt rank of free and generous citizens. Not one man incurred loſs, or ſuffered degradation. All, from the king to the day-labourer, were improved in their condition. Every thing was kept in its place and order; but in that place and order every thing was bettered. To add to this happy wonder (this unheard-of conjunction of wiſdom and fortune) not one drop of blood was ſpilled; no treachery; no outrage; no ſyſtem of ſlander more cruel than the ſword; no ſtudied inſults on religion, morals, or manners; no ſpoil; no confiſcation; no citizen beggared; none impriſoned; none exiled: the whole was effected with a policy, a diſcretion, an unanimity and ſecrecy, ſuch as have never been before known on any occaſion; but ſuch wonderful conduct was reſerved for this glorious conſpiracy in favour of the true and genuine rights and intereſts of men. Happy people, if they know to proceed as they have begun! Happy prince, worthy to begin with ſplendor, or to cloſe with glory, a race of patriots and of kings: and to leave

> A name, which every wind to heav'n would bear,
> Which men to tell, and angels joy to hear.

To finiſh all—this great good, as in the inſtant it is, contains in it the ſeeds of all further improvement; and may be conſidered as in a regular progreſs, becauſe founded on ſimilar principles, towards the ſtable excellence of a Britiſh conſtitution.

Here was a matter for congratulation and for feſtive remembrance through ages. Here moraliſts and divines might indeed relax in their temperance to exhilarate their humanity. But mark the character of our faction. All their enthuſiaſm is kept for the French revolution. They cannot pretend that France had ſtood ſo much in need of a change as Poland. They cannot pretend that it has not obtained a better ſyſtem of liberty or of government than it enjoyed before. They cannot aſſert, that it coſt more dearly to the intereſts and feelings of multitudes of men. But the cold and ſubordinate light in which they look upon the one, and the pains they take to preach up the other of theſe revolutions, leave us no choice in fixing on their motives. Both revolutions profeſs liberty as their object; but in obtaining this object the one proceeds from anarchy to order: the other from order to anarchy. The firſt ſecures its liberty by eſtabliſhing its throne; the other builds its freedom on the ſubverſion of its monarchy. In the one their means are unſtained by crimes, and their ſettlement favours morality. In the other, vice and confuſion are in the very eſſence of their purſuit and of their enjoyment. The circumſtances in which theſe two events differ, muſt cauſe the difference we make in their comparative eſtimation. Theſe turn the ſcale with the ſocieties in favour of France. *Ferrum eſt quod amant.* The frauds, the violences, the ſacrileges, the havock and ruin of families, the diſperſion and exile of the pride and flower of a great country, the diſorder, the confuſion, the anarchy, the violation of property, the cruel murders, the inhuman confiſcations, and in the

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end the infolent domination of bloody, ferocious, and ſenſeleſs clubs.—Theſe are the things which they love and admire. What men admire and love, they would ſurely act. Let us ſee what is done in France; and then let us undervalue any the ſlighteſt danger of falling into the hands of ſuch a mercileſs and ſavage faction!

'But the leaders of the factious ſocieties are too 'wild to ſucceed in this their undertaking.' I hope ſo. But ſuppoſing them wild and abſurd, is there no danger but from wiſe and reflecting men? Perhaps the greateſt miſchiefs that have happened in the world, have happened from perſons as wild as thoſe we think the wildeſt. In truth, they are the fitteſt beginners of all great changes. Why encourage men in a miſchievous proceeding, becauſe their abſurdity may diſappoint their malice? 'But 'noticing them may give them conſequence.' Certainly. But they are noticed; and they are noticed, not with reproof, but with that kind of countenance which is given by an *apparent* concurrence (not a *real* one, I am convinced) of a great party, in the praiſes of the object which they hold out to imitation.

But I hear a language ſtill more extraordinary, and indeed of ſuch a nature as muſt ſuppoſe, or leave, us at their mercy. It is this—'You know 'their promptitude in writing, and their diligence in 'caballing; to write, ſpeak, or act againſt them, 'will only ſtimulate them to new efforts.'—This way of conſidering the principle of their conduct pays but a poor compliment to theſe gentlemen. They pretend that their doctrines are infinitely beneficial to mankind; but it ſeems they would keep them to themſelves, if they were not greatly provoked. They are benevolent from ſpite. Their oracles are like thoſe of *Proteus* (whom ſome people think they reſemble in many particulars) who never would

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give his reſponſes unleſs you uſed him as ill as poſſible. Theſe cats, it ſeems, would not give out their electrical light without having their backs well rubbed. But this is not to do them perfect juſtice. They are ſufficiently communicative. Had they been quiet, the propriety of any agitation of topics on the origin and primary rights of government, in oppoſition to their private ſentiments, might poſſibly be doubted. But as it is notorious, that they were proceeding as faſt, and as far, as time and circumſtances would admit, both in their diſcuſſions and cabals —as it is not to be denied, that they had opened a correſpondence with a foreign faction, the moſt wicked the world ever ſaw, and eſtabliſhed anniverſaries to commemorate the moſt monſtrous, cruel, and perfidious of all the proceedings of that faction—the queſtion is, whether their conduct was to be regarded in ſilence, leſt our interference ſhould render them outrageous? Then let them deal as they pleaſe with the conſtitution. Let the lady be paſſive, leſt the raviſher ſhould be driven to force. Reſiſtance will only increaſe his deſires. Yes, truly, if the reſiſtance be feigned and feeble. But they who are wedded to the conſtitution will not act the part of wittols. They will drive ſuch ſeducers from the houſe on the firſt appearance of their love-letters, and offered aſſignations. But if the author of the Reflections, though a vigilant, was not a diſcreet guardian of the conſtitution, let them who have the ſame regard to it, ſhew themſelves as vigilant and more ſkilful in repelling the attacks of ſeduction or violence. Their freedom from jealouſy is equivocal, and may ariſe as well from indifference to the object, as confidence in her virtue. On their principle, it is the reſiſtance, and not the aſſault, which produces the danger. I admit, indeed, that if we eſtimated the danger by the value of the writings, it would be little worthy of our attention: contemptible

theſe writings are in every ſenſe. But they are not the cauſe, but the diſguſting ſymptoms, of a frightful diſtemper. They are not otherwiſe of conſequence, than as they ſhew the evil habit of the bodies from whence they come. In that light the meaneſt of them is a ſerious thing. If however I ſhould under-rate them; and that they are not the reſult, but the cauſe of the diſorders I ſpeak of, ſtill thoſe who circulate operative poiſons, and give, to whatever force they have by their nature, the further operation of their authority and adoption, are much to be cenſured, watched, and, if poſſible, repreſſed.

At what diſtance the direct danger from ſuch factions may be, it is not eaſy to fix. An adaptation of circumſtances to deſigns and principles is neceſſary. But theſe cannot be wanting for any long time in the ordinary courſe of ſublunary affairs. Great diſcontents frequently ariſe in the beſt-conſtituted governments, from cauſes which no human wiſdom can foreſee, and no human power can prevent. They occur at uncertain periods, but at periods which are not commonly far aſunder. Governments of all kinds are adminiſtered only by men; and great miſtakes, tending to inflame theſe diſcontents, may concur. The indeciſion of thoſe who happen to rule at the critical time, their ſupine neglect, or their precipitate and ill-judged attention, may aggravate the public misfortunes. In ſuch a ſtate of things, the principles, now only ſown, will ſhoot out and vegetate in full luxuriance. In ſuch circumſtances the minds of the people become ſore and ulcerated. They are put out of humour with all public men, and all public parties; they are fatigued with their diſſenſions; they are irritated at their coalitions; they are made eaſily to believe, (what much pains are taken to make them believe) that all oppoſitions are factious, and all courtiers baſe and ſervile. From their diſguſt at men, they are ſoon led to quar-

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rel with their frame of government, which they preſume gives nouriſhment to the vices, real or ſuppoſed, of thoſe who adminiſter in it. Miſtaking malignity for ſagacity, they are ſoon led to caſt off all hope from a good adminiſtration of affairs, and come to think that all reformation depends, not on a change of actors, but upon an alteration in the machinery. Then will be felt the full effect of encouraging doctrines which tend to make the citizens deſpiſe their conſtitution. Then will be felt the plenitude of the miſchief of teaching the people to believe, that all antient inſtitutions are the reſults of ignorance; and that all preſcriptive government is in its nature uſurpation. Then will be felt, in all its energy, the danger of encouraging a ſpirit of litigation in perſons of that immature and imperfect ſtate of knowledge which ſerves to render them ſuſceptible of doubts but incapable of their ſolution. Then will be felt, in all its aggravation, the pernicious conſequence of deſtroying all docility in the minds of thoſe who are not formed for finding their own way in the labyrinths of political theory, and are made to reject the clue, and to diſdain the guide. Then will be felt, and too late will be acknowledged, the ruin which follows the disjoining of religion from the ſtate; the ſeparation of morality from policy; and the giving conſcience no concern and no coactive or coercive force in the moſt material of all the ſocial ties, the principle of our obligations to government.

I know too, that beſides this vain, contradictory, and ſelf-deſtructive ſecurity, which ſome men derive from the habitual attachment of the people to this conſtitution, whilſt they ſuffer it with a ſort of ſportive acquieſcence to be brought into contempt before their faces, they have other grounds for removing all apprehenſion from their minds. They are of opinion, that there are too many men

of great hereditary eſtates and influence in the kingdom, to ſuffer the eſtabliſhment of the levelling ſyſtem which has taken place in France. This is very true, if in order to guide the power, which now attends their property, theſe men poſſeſs the wiſdom which is involved in early fear. But if through a ſupine ſecurity, to which ſuch fortunes are peculiarly liable, they neglect the uſe of their influence in the ſeaſon of their power, on the firſt derangement of ſociety, the nerves of their ſtrength will be cut. Their eſtates, inſtead of being the means of their ſecurity, will become the very cauſes of their danger. Inſtead of beſtowing influence they will excite rapacity. They will be looked to as a prey.

Such will be the impotent condition of thoſe men of great hereditary eſtates, who indeed diſlike the deſigns that are carried on, but whoſe diſlike is rather that of ſpectators, than of parties that may be concerned in the cataſtrophe of the piece. But riches do not in all caſes ſecure even an inert and paſſive reſiſtance. There are always, in that deſcription, men whoſe fortunes, when their minds are once vitiated by paſſion or by evil principle, are by no means a ſecurity from their actually taking their part againſt the public tranquillity. We ſee to what low and deſpicable paſſions of all kinds many men in that claſs are ready to ſacrifice the patrimonial eſtates, which might be perpetuated in their families with ſplendor, and with the fame of hereditary benefactors to mankind from generation to generation. Do we not ſee how lightly people treat their fortunes when under the influence of the paſſion of gaming? The game of ambition or reſentment will be played by many of the rich and great, as deſperately, and with as much blindneſs to the conſequences, as any other game. Was he a man of no rank or fortune, who firſt ſet on foot

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the diſturbances which have ruined France? Paſſion blinded him to the conſequences, ſo far as they concerned himſelf; and as to the conſequences with regard to others, they were no part of his conſideration; nor ever will be with thoſe who bear any reſemblance to that virtuous patriot and lover of the rights of man.

There is alſo a time of inſecurity, when intereſts of all ſorts become objects of ſpeculation. Then it is, that their very attachment to wealth and importance will induce ſeveral perſons of opulence to liſt themſelves, and even to take a lead with the party which they think moſt likely to prevail, in order to obtain to themſelves conſideration in ſome new order or diſorder of things. They may be led to act in this manner, that they may ſecure ſome portion of their own property; and perhaps to become partakers of the ſpoil of their own order. Thoſe who ſpeculate on change, always make a great number among people of rank and fortune, as well as amongſt the low and the indigent.

What ſecurity againſt all this?—All human ſecurities are liable to uncertainty. But if any thing bids fair for the prevention of ſo great a calamity, it muſt conſiſt in the uſe of the ordinary means of juſt influence in ſociety, whilſt thoſe means continue unimpaired. The public judgment ought to receive a proper direction. All weighty men may have their ſhare in ſo good a work. As yet, notwithſtanding the ſtrutting and lying independence of a braggart philoſophy, nature maintains her rights, and great names have great prevalence. Two ſuch men as Mr. Pitt and Mr. Fox, adding to their authority in a point in which they concur, even by their diſunion in every thing elſe, might frown theſe wicked opinions out of the kingdom. But if the influence of either of them, or the influence of men like them, ſhould, againſt their ſerious

intentions,

intentions, be otherwiſe perverted, they may countenance opinions which (as I have ſaid before, and could wiſh over and over again to preſs) they may in vain attempt to control. In their theory, theſe doctrines admit no limit, no qualification whatſoever. No man can ſay how far he will go, who joins with thoſe who are avowedly going to the utmoſt extremities. What ſecurity is there for ſtopping ſhort at all in theſe wild conceits? Why, neither more nor leſs than this—that the moral ſentiments of ſome few amongſt them do put ſome check on their ſavage theories. But let us take care. The moral ſentiments, ſo nearly connected with early prejudice as to be almoſt one and the ſame thing, will aſſuredly not live long under a diſcipline, which has for its baſis the deſtruction of all prejudices, and the making the mind proof againſt all dread of conſequences flowing from the pretended truths that are taught by their philoſophy.

In this ſchool the moral ſentiments muſt grow weaker and weaker every day. The more cautious of theſe teachers, in laying down their maxims, draw as much of the concluſion as ſuits, not with their premiſes, but with their policy. They truſt the reſt to the ſagacity of their pupils. Others, and theſe are the moſt vaunted for their ſpirit, not only lay down the ſame premiſes, but boldly draw the concluſions to the deſtruction of our whole conſtitution in church and ſtate. But are theſe concluſions truly drawn? Yes, moſt certainly. Their principles are wild and wicked. But let juſtice be done even to phrenſy and villainy. Theſe teachers are perfectly ſyſtematic. No man who aſſumes their grounds can tolerate the Britiſh conſtitution in church or ſtate. Theſe teachers profeſs to ſcorn all mediocrity; to engage for perfection; to proceed by the ſimpleſt and ſhorteſt courſe. They build their politics, not on conve-

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nience but on truth; and they profeſs to conduct men to certain happineſs by the aſſertion of their undoubted rights. With them there is no compromiſe. All other governments are uſurpations, which juſtify and even demand reſiſtance.

Their principles always go to the extreme. They who go with the principles of the ancient Whigs, which are thoſe contained in Mr. Burke's book, never can go too far. They may indeed ſtop ſhort of ſome hazardous and ambiguous excellence, which they will be taught to poſtpone to any reaſonable degree of good they may actually poſſeſs. They will be taught that in every action of importance a duty is included. The opinions maintained in that book never can lead to an extreme, becauſe their foundation is laid in an oppoſition to extremes. The foundation of government is there laid, not in imaginary rights of men, (which at beſt is a confuſion of judicial with civil principles) but in political convenience, and in human nature; either as that nature is univerſal, or as it is modified by local habits and ſocial aptitudes. The foundation of government, (thoſe who have read that book will recollect) is laid in a proviſion for our wants, and in a conformity to our duties; it is to purvey for the one; it is to enforce the other. Theſe doctrines do of themſelves gravitate to a middle point, or to ſome point near a middle. They ſuppoſe indeed a certain portion of liberty to be eſſential to all good government; but they infer that this liberty is to be blended into the government; to harmonize with its forms and its rules; and to be made ſubordinate to its end. Thoſe who are not with that book are with its oppoſite. For there is no medium beſides the medium itſelf. That medium is not ſuch, becauſe it is found there; but it is found there, becauſe it is conformable to truth and nature. In this we do not follow the author; but we and the author travel together upon the ſame ſafe and middle path.

What

What has been ſaid of the Roman empire, is at leaſt as true of the Britiſh conſtitution—" *Octingen-*
" *torum annorum fortuna, diſciplinaque, compages hæc*
" *coaluit; quæ convelli ſine convellentium exitio non*
" *poteſt.*"—This Britiſh conſtitution has not been ſtruck out at an heat by a ſet of preſumptuous men, like the aſſembly of pettifoggers run mad in Paris.

" 'Tis not the haſty product of a day,
" But the well-ripen'd fruit of wiſe delay."

It is the reſult of the thoughts of many minds, in many ages. It is no ſimple, no ſuperficial thing, nor to be eſtimated by ſuperficial underſtandings. An ignorant man, who is not fool enough to meddle with his clock, is however ſufficiently confident to think he can ſafely take to pieces, and put together at his pleaſure, a moral machine of another guiſe importance and complexity, compoſed of far other wheels, and ſprings, and balances, and counteracting and co-operating powers. Men little think how immorally they act in raſhly meddling with what they do not underſtand. Their deluſive good intention is no ſort of excuſe for their preſumption. They who truly mean well muſt be fearful of acting ill. The Britiſh conſtitution may have its advantages pointed out to wiſe and reflecting minds; but it is of too high an order of excellence to be adapted to thoſe which are common. It takes in too many views, it makes too many combinations, to be ſo much as comprehended by ſhallow and ſuperficial underſtandings. Profound thinkers will know it in its reaſon and ſpirit. The leſs enquiring will recognize it in their feelings and their experience. They will thank God they have a ſtandard, which, in the moſt eſſential point of this great concern, will put them on a par with the moſt wiſe and knowing.

If we do not take to our aid the foregone ſtudies of men reputed intelligent and learned, we ſhall be

always beginners. But in effect, men muſt learn ſomewhere; and the new teachers mean no more than what they effect, that is, to deprive men of the benefit of the collected wiſdom of mankind, and to make them blind diſciples of their own particular preſumption. Talk to theſe deluded creatures, (all the diſciples and moſt of the maſters) who are taught to think themſelves ſo newly fitted up and furniſhed, and you will find nothing in their houſes but the refuſe of *Knaves Acre*; nothing but the rotten ſtuff, worn out in the ſervice of deluſion and ſedition in all ages, and which being newly furbiſhed up, patched, and varniſhed, ſerves well enough for thoſe who being unacquainted with the conflict which has always been maintained between the ſenſe and the nonſenſe of mankind, know nothing of the former exiſtence and the antient refutation of the ſame follies. It is near two thouſand years ſince it has been obſerved, that theſe devices of ambition, avarice, and turbulence, were antiquated. They are, indeed, the moſt antient of all common places; common places, ſometimes of good and neceſſary cauſes; more frequently of the worſt, but which decide upon neither. *—Eadem ſemper cauſa, libido et avaritia, et mutandarum rerum amor.—Ceterum libertas et ſpecioſa namina pretexuntur; nec quiſquam alienum ſervitium, et dominationem ſibi concupivit, ut non eadem iſta vocabula uſurparet.*

Rational and experienced men, tolerably well know, and have always known, how to diſtinguiſh between true and falſe liberty; and between the genuine adherence and the falſe pretence to what is true. But none, except thoſe who are profoundly ſtudied, can comprehend the elaborate contrivance of a fabric fitted to unite private and public liberty with public force, with order, with peace, with juſtice, and, above all, with the contrivances formed for

beſtowing

beſtowing permanence and ſtability through ages, upon this invaluable whole.

Place, for inſtance, before your eyes, ſuch a man as Monteſquieu. Think of a genius not born in every country, or every time; a man gifted by nature with a penetrating aquiline eye; with a judgment prepared with the moſt extenſive erudition; with an herculean robuſtneſs of mind, and nerves not to be broken with labour; a man who could ſpend twenty years in one purſuit. Think of a man, like the univerſal patriarch in Milton (who had drawn up before him in his prophetic viſion the whole ſeries of the generations which were to iſſue from his loins) a man capable of placing in review, after having brought together, from the eaſt, the weſt, the north, and the ſouth, from the coarſeneſs of the rudeſt barbariſm to the moſt refined and ſubtle civilization, all the ſchemes of government which had ever prevailed amongſt mankind, weighing, meaſuring, collating, and comparing them all, joining fact with theory, and calling into council, upon all this infinite aſſemblage of things, all the ſpeculations which have fatigued the underſtandings of profound reaſoners in all times!—Let us then conſider, that all theſe were but ſo many preparatory ſteps to qualify a man, and ſuch a man, tinctured with no national prejudice, with no domeſtic affection, to admire, and to hold out to the admiration of mankind the conſtitution of England! And ſhall we Engliſhmen revoke to ſuch a ſuit? Shall we, when ſo much more than he has produced, remains ſtill to be underſtood and admired, inſtead of keeping ourſelves in the ſchools of real ſcience, chooſe for our teachers men incapable of being taught, whoſe only claim to know is, that they have never doubted; from whom we can learn nothing but their own indocility; who would teach us to ſcorn what in the ſilence of our hearts we ought to adore?

Different from them are all the great critics. They have taught us one eſſential rule. I think the excellent and philoſophic artiſt a true judge, as well as a perfect follower of nature, Sir Joſhua Reynolds has ſomewhere applied it, or ſomething like it, in his own profeſſion. It is this, That if ever we ſhould find ourſelves diſpoſed not to admire thoſe writers, Livy and Virgil for inſtance, whom all the learned had admired, not to follow our own fancies, but to ſtudy them until we know how and what we ought to admire; and if we cannot arrive at this combination of admiration with knowledge, rather to believe that we are dull, than that the reſt of the world has been impoſed on. It is as good a rule, at leaſt, with regard to this admired conſtitution. We ought to underſtand it according to our meaſure; and to venerate where we are not able preſently to comprehend.

Such were our fathers to whom we owe this ſplendid inheritance. Let us improve it with zeal, but with fear. Let us follow our anceſtors, men not without a rational, though without an excluſive confidence in themſelves; who, by reſpecting the reaſon of others, who, by looking backward as well as forward, by the modeſty as well as by the energy of their minds, went on, inſenſibly drawing this conſtitution nearer and nearer to its perfection by never departing from its fundamental principles, nor introducing any amendment which had not a ſubſiſting root in the laws, conſtitution, and uſages of the kingdom. Let thoſe who have the truſt of political or of natural authority ever keep watch againſt the deſperate enterprizes of innovation: Let even their benevolence be fortified and armed. They have before their eyes the example of a monarch, inſulted, degraded, confined, depoſed; his family diſperſed, ſcattered, impriſoned; his wife inſulted to his face like the vileſt of the ſex, by the

vileſt

vileſt of all populace; himſelf three times dragged by theſe wretches in an infamous triumph; his children torn from him, in violation of the firſt right of nature, and given into the tuition of the moſt deſperate and impious of the leaders of deſperate and impious clubs; his revenues dilapidated and plundered; his magiſtrates murdered; his clergy proſcribed, perſecuted, famiſhed; his nobility degraded in their rank, undone in their fortunes, fugitives in their perſons; his armies corrupted and ruined; his whole people impoveriſhed, diſunited, diſſolved; whilſt through the bars of his priſon, and amidſt the bayonets of his keepers, he hears the tumult of two conflicting factions, equally wicked and abandoned, who agree in principles, in diſpoſitions, and in objects, but who tear each other to pieces about the moſt effectual means of obtaining their common end; the one contending to preſerve for a while his name and his perſon, the more eaſily to deſtroy the royal authority—the other clamouring to cut off the name, the perſon, and the monarchy together, by one ſacrilegious execution. All this accumulation of calamity, the greateſt that ever fell upon one man, has fallen upon his head, becauſe he had left his virtues unguarded by caution; becauſe he was not taught that where power is concerned, he who will confer benefits muſt take ſecurity againſt ingratitude.

I thought here to cloſe what I had to ſay, wiſhing not to enter further into the diſcuſſions which diverge and ramify in all ways from this productive ſubject. But there is one topic upon which I hope I ſhall be excuſed in going a little beyond my deſign. The factions, now ſo buſy amongſt us, in order to diveſt men of all love for their country, and to remove from their minds all duty with regard to the ſtate, endeavour to propagate an opini-

on, that the *people*, in forming their commonwealth, have by no means parted with their power over it. This is an impregnable citadel, to which theſe gentlemen retreat whenever they are puſhed by the battery of laws, and uſages, and poſitive conventions. Indeed it is of ſuch and of ſo great force, that all they have done in defending their outworks is ſo much time and labour thrown away. Diſcuſs any of their ſchemes—their anſwer is—It is the act of the *people*, and that is ſufficient. Are we to deny to a *majority* of the people the right of altering even the whole frame of their ſociety, if ſuch ſhould be their pleaſure? They may change it, ſay they, from a monarchy to a republic to-day, and to-morrow back again from a republic to a monarchy; and ſo backward and forward as often as they like. They are maſters of the commonwealth; becauſe in ſubſtance they are themſelves the commonwealth. The French revolution, ſay they, was the act of the majority of the people; and if the majority of any other people, the people of England for inſtance, wiſh to make the ſame change, they have the ſame right.

Juſt the ſame undoubtedly. That is, none at all. Neither the few nor the many have a right to act merely by their will, in any matter connected with duty, truſt, engagement, or obligation. The conſtitution of a country being once ſettled upon ſome compact, tacit or expreſſed, there is no power exiſting of force to alter it, without the breach of the covenant, or the conſent of all the parties. Such is the nature of a contract. And the votes of a majority of the people, whatever their infamous flatterers may teach in order to corrupt their minds, cannot alter the moral any more than they can alter the phyſical eſſence of things. The people are not to be taught to think lightly of their engagements to their governors;

vernors; elſe they teach governors to think lightly of their engagements towards them. In that kind of game in the end the people are ſure to be loſers. To flatter them into a contempt of faith, truth, and juſtice, is to ruin them; for in theſe virtues conſiſts their whole ſafety. To flatter any man, or any part of mankind, in any deſcription, by aſſerting, that in engagements he or they are free whilſt any other human creature is bound, is ultimately to veſt the rule of morality in the pleaſure of thoſe who ought to be rigidly ſubmitted to it; to ſubject the ſovereign reaſon of the world to the caprices of weak and giddy men.

But, as no one of us men can diſpenſe with public or private faith, or with any other tie of moral obligation, ſo neither can any number of us. The number engaged in crimes, inſtead of turning them into laudable acts, only augments the quantity and the intenſity of the guilt. I am well aware, that men love to hear of their power, but have an extreme diſreliſh to be told of their duty. This is of courſe; becauſe every duty is a limitation of ſome power. Indeed arbitrary power is ſo much to the depraved taſte of the vulgar, of the vulgar of every deſcription, that almoſt all the diſſenſions which lacerate the commonwealth, are not concerning the manner in which it is to be exerciſed, but concerning the hands in which it is to be placed. Somewhere they are reſolved to have it. Whether they deſire it to be veſted in the many or the few, depends with moſt men upon the chance which they imagine they themſelves may have of partaking in the exerciſe of that arbitrary ſway, in the one mode or in the other.

It is not neceſſary to teach men to thirſt after power. But it is very expedient that, by moral inſtruction, they ſhould be taught, and by their civil conſtitutions they ſhould be compelled, to put many

reſtrictions upon the immediate exerciſe of it, and the inordinate deſire. The beſt method of obtaining theſe two great points forms the important, but at the ſame time the difficult problem to the true ſtateſman. He thinks of the place in which political power is to be lodged, with no other attention, than as it may render the more or the leſs practicable, its ſalutary reſtraint, and its prudent direction. For this reaſon no legiſlator, at any period of the world, has willingly placed the ſeat of active power in the hands of the multitude: Becauſe there it admits of no control, no regulation, no ſteady direction whatſoever. The people are the natural control on authority; but to exerciſe and to control together is contradictory and impoſſible.

As the exorbitant exerciſe of power cannot, under popular ſway, be effectually reſtrained, the other great object of political arrangement, the means of abating an exceſſive deſire of it, is in ſuch a ſtate ſtill worſe provided for. The democratick commonwealth is the foodful nurſe of ambition. Under the other forms it meets with many reſtraints. Whenever, in ſtates which have had a democratick baſis, they have endeavoured to put reſtraints upon ambition, their methods were as violent, as in the end they were ineffectual; as violent indeed as any the moſt jealous deſpotiſm could invent. The oſtraciſm could not very long ſave itſelf, and much leſs the ſtate which it was meant to guard, from the attempts of ambition, one of the natural inbred incurable diſtempers of a powerful democracy.

But to return from this ſhort digreſſion, which however is not wholly foreign to the queſtion of the effect of the will of the majority upon the form or the exiſtence of their ſociety. I cannot too often recommend it to the ſerious conſideration of all men, who think civil ſociety to be within the province of moral juriſdiction, that if we owe to it any

duty, it is not ſubject to our will. Duties are not voluntary. Duty and will are even contradictory terms. Now though ſociety might be at firſt a voluntary act (which in many caſes it undoubtedly was) its continuance is a covenant. Men without their choice derive benefits from it, without their will are ſubjected to duties, and enter into a virtual obligation as binding as any that is actual; indeed more ſo, as we derive from it benefits of much longer continuance, and much greater and more eſſential than the firſt contracting parties could have obtained from their agreement. Indeed much the greateſt and ſtrongeſt moral obligations are ſuch as were never the reſults of our choice. If indeed there exiſts no ſupreme ruler, wiſe to form and potent to enforce the moral law, I know of no ſanction to any contract, actual or virtual, againſt the will of prevalent power. The firſt queſtion decides upon the laſt. Into that queſtion indeed all the reſt reſolve themelves ultimately. We have but this one appeal againſt irreſiſtible power:

Si genus humanum et mortalia temnitis arma,
At ſperate Deos memores fandi atque nefandi.

Taking it for granted that I do not write to the diſciples of the Pariſian philoſophy, I may aſſume, that the awful author of our being is the author of our place in the order of exiſtence; and that having diſpoſed and marſhalled us by a divine tactick, not according to our will, but according to his, he has, in and by that diſpoſition, virtually ſubjected us to act the part which belongs to the place aſſigned us. We have obligations to mankind at large, which are not in conſequence of any ſpecial voluntary pact. On the contrary, the force of all the pacts which we enter into with any of them, depends upon thoſe prior obligations. When we marry, the choice is voluntary, but the duties are not matter of choice. They are

dictated

dictated by the nature of the ſituation. Dark and inſcrutable are the ways by which we come into the world. The inſtincts which give riſe to this myſterious proceſs of nature are not of our making. But out of phyſical cauſes, unknown to us, perhaps unknowable, ariſe moral duties, which, as we are able perfectly to comprehend, we are bound indiſpenſably to perform. Children are not conſenting to their relation, but their relation, without their actual conſent, binds them to its duties; or rather it implies their conſent, becauſe the preſumed conſent of a rational creature is in uniſon with the prediſpoſed order of things. Men come in that manner into a community with the ſocial ſtate of their parents, endowed with all the benefits, loaded with all the duties of their ſituation. If the ſocial ties and ligaments, ſpun out of thoſe relations which are the elements of the commonwealth, in moſt caſes begin, and always continue independently of our will, ſo does that relation called our country, which comprehends (as it has been well ſaid) "all the charities of all," bind us to it without any ſtipulation on our part. Nor are we left without powerful inſtincts to make this duty as dear and grateful to us, as it is awful and coercive. Our country is not a thing of mere phyſical locality. It conſiſts, in a great meaſure, in the antient order into which we are born. We may have the ſame geographical ſituation, but another country; as we may have the ſame country in another ſoil. The place that determines our duty is a ſocial, civil relation.

Theſe are the opinions of the author whoſe cauſe I defend. I lay them down not ſo much to enforce them upon others by diſputation, but as an account of his proceedings. On them he acts; and from them he is convinced that neither he nor any man, or number of men, have a right (except

what

what neceſſity, which is out of and above all rule, rather impoſes than beſtows) to free themſelves from that primary engagement into which every man born into a community as much contracts by his being born into it, as he contracts an obligation to certain parents by his having been derived from their bodies. The place of every man determines his duty. If you aſk, *Quem te Deus eſſe juſſit?* You will be anſwered when you reſolve this other queſtion, *Humana qua parte locatus es in re* ?*

I admit, indeed, that in morals, as in all things elſe, difficulties will ſometimes occur. Duties will ſometimes croſs one another. Then queſtions will ariſe, which of them is to be placed in ſubordination; which of them may be entirely ſuperſeded? Theſe doubts give riſe to that part of moral ſcience called *caſuiſtry*; which, though neceſſary to be well ſtudied by thoſe who would become expert in that learning, who aim at becoming what, I think Cicero ſomewhere calls, *artifices officiorum*; it requires a very ſolid and diſcriminating judgment, great modeſty and caution, and much ſobriety of mind in the handling; elſe there is a danger that it may totally ſubvert thoſe offices which it is its object only to methodize and reconcile. Duties, at their extreme bounds, are drawn very fine, ſo as to become almoſt evaneſcent. In that ſtate, ſome ſhade of doubt will always reſt on theſe queſtions, when they are purſued with great ſubtilty. But the

* A few lines in Perſius contain a good ſummary of all the objects of moral inveſtigation, and hint the reſult of our enquiry: There human will has no place.

Quid ſumus? et quidnam *victuri gignimur?* ordo
Quis *datus?* et metæ quis mollis flexus et unde?
Quis modus argento? Quid *fas optare?* Quid aſper
Utile nummus habet? Patriæ chariſque propinquis
Quantum elargiri *debeat?*—Quem te Deus eſſe
Juſſit?—et humana qua parte *locatus es* in re?

very

very habit of ſtating theſe extreme caſes is not very laudable or ſafe: becauſe, in general, it is not right to turn our duties into doubts. They are impoſed to govern our conduct, not to exerciſe our ingenuity; and therefore, our opinions about them ought not to be in a ſtate of fluctuation, but ſteady, ſure, and reſolved.

Amongſt theſe nice, and therefore dangerous, points of caſuiſtry may be reckoned the queſtion ſo much agitated in the preſent hour—Whether, after the people have diſcharged themſelves of their original power by an habitual delegation, no occaſion can poſſibly occur which may juſtify their reſumption of it? This queſtion, in this latitude, is very hard to affirm or deny: but I am ſatisfied that no occaſion can juſtify ſuch a reſumption, which would not equally authorize a diſpenſation with any other moral duty, perhaps with all of them together. However, if in general it be not eaſy to determine concerning the lawfulneſs of ſuch devious proceedings, which muſt be ever on the edge of crimes, it is far from difficult to foreſee the perilous conſequences of the reſuſcitation of ſuch a power in the people. The practical conſequences of any political tenet go a great way in deciding upon its value. Political problems do not primarily concern truth or falſehood. They relate to good or evil. What in the reſult is likely to produce evil, is politically falſe: that which is productive of good, politically is true.

Believing it therefore a queſtion at leaſt arduous in the theory, and in the practice very critical, it would well become us to aſcertain, as well as we can, what form it is that our incantations are about to call up from darkneſs and the ſleep of ages. When the ſupreme authority of the people is in queſtion, before we attempt to extend or to confine it, we ought to fix in our minds, with ſome degree

of

of diſtinctneſs, an idea of what it is we mean when we ſay the PEOPLE.

In a ſtate of *rude* nature there is no ſuch thing as a people. A number of men in themſelves have no collective capacity. The idea of a people is the idea of a corporation. It is wholly artificial; and made like all other legal fictions by common agreement. What the particular nature of that agreement was, is collected from the form into which the particular ſociety has been caſt. Any other is not their covenant. When men, therefore, break up the original compact or agreement which gives its corporate form and capacity to a ſtate, they are no longer a people; they have no longer a corporate exiſtence; they have no longer a legal coactive force to bind within, nor a claim to be recognized abroad. They are a number of vague looſe individuals, and nothing more. With them all is to begin again. Alas! they little know how many a weary ſtep is to be taken before they can form themſelves into a maſs, which has a true politic perſonality.

We hear much from men, who have not acquired their hardineſs of aſſertion from the profundity of their thinking, about the omnipotence of a *majority*, in ſuch a diſſolution of an ancient ſociety as hath taken place in France. But amongſt men ſo diſbanded, there can be no ſuch thing as majority or minority; or power in any one perſon to bind another. The power of acting by a majority, which the gentlemen theoriſts ſeem to aſſume ſo readily, after they have violated the contract out of which it has ariſen, (if at all it exiſted) muſt be grounded on two aſſumptions; firſt, that of an incorporation produced by unanimity; and ſecondly, an unanimous agreement, that the act of a mere majority (ſay of one) ſhall paſs with them and with others as the act of the whole.

We are ſo little affected by things which are habi-

tual,

tual, that we conſider this idea of the deciſion of a *majority* as if it were a law of our original nature: But ſuch conſtructive whole, reſiding in a part only, is one of the moſt violent fictions of poſitive law, that ever has been or can be made on the principles of artificial incorporation. Out of civil ſociety nature knows nothing of it; nor are men, even when arranged according to civil order, otherwiſe than by very long training, brought at all to ſubmit to it. The mind is brought far more eaſily to acquieſce in the proceedings of one man, or a few, who act under a general procuration for the ſtate, than in the vote of a victorious majority in councils in which every man has his ſhare in the deliberation. For there the beaten party are exaſperated and ſoured by the previous contention, and mortified by the concluſive defeat. This mode of deciſion, where wills may be ſo nearly equal, where, according to circumſtances, the ſmaller number may be the ſtronger force, and where apparent reaſon may be all upon one ſide, and on the other little elſe than impetuous appetite; all this muſt be the reſult of a very particular and ſpecial convention, confirmed afterwards by long habits of obedience, by a ſort of diſcipline in ſociety, and by a ſtrong hand, veſted with ſtationary permanent power, to enforce this ſort of conſtructive general will. What organ it is that ſhall declare the corporate mind is ſo much a matter of poſitive arrangement, that ſeveral ſtates, for the validity of ſeveral of their acts, have required a proportion of voices much greater than that of a mere majority. Theſe proportions are ſo entirely governed by convention, that in ſome caſes the minority decides. The laws in many countries to *condemn* require more than a mere majority; leſs than an equal number to *acquit*. In our judicial trials we require unanimity either to condemn or to abſolve. In ſome incorporations one man ſpeaks for the whole; in

others, a few. Until the other day, in the conſtitution of Poland, unanimity was required to give validity to any act of their great national council or diet. This approaches much more nearly to rude nature than the inſtitutions of any other country. Such, indeed, every commonwealth muſt be, without a poſitive law to recognize in a certain number the will of the entire body.

If men diſſolve their antient incorporation, in order to regenerate their community, in that ſtate of things each man has a right, if he pleaſes, to remain an individual. Any number of individuals, who can agree upon it, have an undoubted right to form themſelves into a ſtate apart and wholly independent. If any of theſe is forced into the fellowſhip of another, this is conqueſt and not compact. On every principle, which ſuppoſes ſociety to be in virtue of a free covenant, this compulſive incorporation muſt be null and void.

As a people can have no right to a corporate capacity without univerſal conſent, ſo neither have they a right to hold excluſively any lands in the name and title of a corporation. On the ſcheme of the preſent rulers in our neighbouring country, regenerated as they are, they have no more right to the territory called France than I have. I have a right to pitch my tent in any unoccupied place I can find for it; and I may apply to my own maintenance any part of their unoccupied ſoil. I may purchaſe the houſe or vineyard of any individual proprietor who refuſes his conſent (and moſt proprietors have, as far as they dared, refuſed it) to the new incorporation. I ſtand in his independent place. Who are theſe inſolent men calling themſelves the French nation, that would monopolize this fair domain of nature? Is it becauſe they ſpeak a certain jargon? Is it their mode of chattering, to me unintelligible,

gible, that forms their title to my land? Who are they who claim by preſcription and deſcent from certain gangs of banditti called Franks, and Burgundians, and Viſigoths, of whom I may have never heard, and ninety-nine out of an hundred of themſelves certainly never have heard; whilſt at the very time they tell me, that preſcription and long poſſeſſion form no title to property? Who are they that preſume to aſſert that the land which I purchaſed of the individual, a natural perſon, and not a fiction of ſtate, belongs to them, who in the very capacity in which they make their claim can exiſt only as an imaginary being, and in virtue of the very preſcription which they reject and diſown? This mode of arguing might be puſhed into all the detail, ſo as to leave no ſort of doubt, that on their principles, and on the ſort of footing on which they have thought proper to place themſelves, the crowd of men on the other ſide of the channel, who have the impudence to call themſelves a people, can never be the lawful excluſive poſſeſſors of the ſoil. By what they call reaſoning without prejudice, they leave not one ſtone upon another in the fabric of human ſociety. They ſubvert all the authority which they hold, as well as all that which they have deſtroyed.

As in the abſtract, it is perfectly clear, that, out of a ſtate of civil ſociety, majority and minority are relations which can have no exiſtence; and that in civil ſociety, its own ſpecific conventions in each incorporation, determine what it is that conſtitutes the people, ſo as to make their act the ſignification of the general will, ſo it is, in particular, equally clear, that neither in France nor in England has the original, or any ſubſequent compact of the ſtate, expreſſed or implied, conſtituted *a majority of men, told by the head*, to be the acting people of their ſeveral communities.

communities. And I ſee as little of policy or utility as there is of right, in laying down a principle that a majority of men told by the head are to be conſidered as the people, and that as ſuch their will is to be law. What policy can there be found in arrangements made in defiance of every political principle? To enable men to act with the weight and character of a people, and to anſwer the ends for which they are incorporated into that capacity, we muſt ſuppoſe them (by means immediate or conſequential) to be in that ſtate of habitual ſocial diſcipline, in which the wiſer, the more expert, and the more opulent, conduct, and by conducting enlighten and protect the weaker, the leſs knowing, and the leſs provided with the goods of fortune. When the multitude are not under this diſcipline, they can ſcarcely be ſaid to be in civil ſociety. Give once a certain conſtitution of things, which produces a variety of conditions and circumſtances in a ſtate, and there is in nature and reaſon a principle which, for their own benefit, poſtpones, not the intereſt but the judgment, of thoſe who are *numero plures*, to thoſe who are *virtute et honore minores*. Numbers in a ſtate (ſuppoſing, which is not the caſe of the French, that a ſtate does exiſt) are always of conſideration—but they are not the whole conſideration. It is in things more ſerious than a play, that it may be truly ſaid, *ſatis eſt equitem mihi plaudere*.

A true natural ariſtocracy is not a ſeparate intereſt in the ſtate, or ſeparable from it. It is an eſſential integrant part of any large people rightly conſtituted. It is formed out of a claſs of legitimate preſumptions, which, taken as generalities, muſt be admitted for actual truths. To be bred in a place of eſtimation; To ſee nothing low and ſordid from one's infancy; To be taught to reſpect one's ſelf; To be habituated to the cenſorial inſpection of the public eye; To look early to

public opinion; To ſtand upon ſuch elevated ground as to be enabled to take a large view of the wide-ſpread and infinitely diverſified combinations of men and affairs in a large ſociety; To have leiſure to read, to reflect, to converſe; To be enabled to draw the court and attention of the wiſe and learned wherever they are to be found; To be habituated in armies to command and to obey; To be taught to deſpiſe danger in the purſuit of honour and duty; To be formed to the greateſt degree of vigilance, foreſight, and circumſpection, in a ſtate of things in which no fault is committed with impunity, and the ſlighteſt miſtakes draw on the moſt ruinous conſequences—To be led to a guarded and regulated conduct, from a ſenſe that you are conſidered as an inſtructor of your fellow-citizens in their higheſt concerns, and that you act as a reconciler between God and man—To be employed as an adminiſtrator of law and juſtice, and to be thereby amongſt the firſt benefactors to mankind—To be a profeſſor of high ſcience, or of a liberal and ingenuous art—To be amongſt rich traders, who from their ſucceſs are preſumed to have ſharp and vigorous underſtandings, and to poſſeſs the virtues of diligence, order, conſtancy, and regularity, and to have cultivated an habitual regard to commutative juſtice.—Theſe are the circumſtances of men, who form what I ſhould call a *natural* ariſtocracy, without which there is no nation.

The ſtate of civil ſociety, which neceſſarily generates this ariſtocracy, is a ſtate of nature; and much more truly ſo than a ſavage and incoherent mode of life; for man is by nature reaſonable, and he is never perfectly in his natural ſtate, but when he is placed where reaſon may be beſt cultivated, and moſt predominates. Art is man's nature. We are as much, at leaſt, in a ſtate of nature in formed manhood, as in immature and helpleſs infancy. To

give no more importance, in the ſocial order, to ſuch deſcriptions of men as I have ſtated, than that of ſo many units, is an horrible uſurpation. Men ſo qualified form in nature, as ſhe operates in the common modification of ſociety, the leading, guiding, and governing part. It is the ſoul to the body, without which the man does not exiſt.

When great multitudes act together, under that diſcipline of nature, I recognize the PEOPLE. I acknowledge ſomething that perhaps equals, and ought always to guide, the ſovereignty of convention. In all things the voice of this grand chorus of national harmony ought to have a mighty and deciſive influence. But when you diſturb this harmony; when you break up this beautiful order, this array of truth and nature, as well as of habit and prejudice; when you ſeparate the common ſort of men from their proper chieftains ſo as to form them into an adverſe army, I no longer know that venerable object called the people in ſuch a diſbanded race of deſerters and vagabonds. For a while they may be terrible indeed; but in ſuch a manner as wild beaſts are terrible. The mind owes to them no ſort of ſubmiſſion. They are, as they have always been reputed, rebels. They may lawfully be fought with, and brought under, whenever an advantage offers. Thoſe who attempt by outrage and violence to deprive men of any advantage which they hold under the laws, and to deſtroy the order of life, proclaim war againſt them.

We have read in hiſtory of that furious inſurrection of the common people in France called the *Jacquerie*; for this is not the firſt time that the people have been enlightened into treaſon, murder, and rapine. Its object was to extirpate the gentry. The *Captal de Buche*, a famous ſoldier of thoſe days, diſhonoured the name of a gentleman and of a man by taking, for their cruelties, a cruel vengeance on

theſe deluded wretches: It was, however, his right and his duty to make war upon them, and afterwards, in moderation, to bring them to puniſhment for their rebellion; though in the ſenſe of the French revolution, and of ſome of our clubs, they were the *people*; and were truly ſo, if you will call by that appellation *any majority of men told by the head.*

At a time not very remote from the ſame period (for theſe humours never have affected one of the nations without ſome influence on the other) happened ſeveral riſings of the lower commons in England. Theſe inſurgents were certainly the majority of the inhabitants of the counties in which they reſided; and Cade, Ket, and Straw, at the head of their national guards, and fomented by certain traitors of high rank, did no more than exert, according to the doctrines of ours and the Pariſian ſocieties, the ſovereign power inherent in the majority.

We call the time of thoſe events a dark age. Indeed we are too indulgent to our own proficiency. The Abbé John Ball underſtood the rights of man as well as the Abbé Gregoire. That reverend patriarch of ſedition, and prototype of our modern preachers, was of opinion with the national aſſembly, that all the evils which have fallen upon men had been cauſed by an ignorance of their "having been born and continued equal as to their rights." Had the populace been able to repeat that profound maxim all would have gone perfectly well with them. No tyranny, no vexation, no oppreſſion, no care, no ſorrow, could have exiſted in the world. This would have cured them like a charm for the tooth-ach. But the loweſt wretches, in their moſt ignorant ſtate, were able at all times to talk ſuch ſtuff; and yet at all times have they ſuffered many evils and many oppreſſions, both before and ſince the republication by the national aſſembly of this

ſpell

ſpell of healing potency and virtue. The enlightened Dr. Ball, when he wiſhed to rekindle the lights and fires of his audience on this point, choſe for the text the following couplet:

When Adam delved and Eve ſpan,
Who was then the gentleman?

Of this ſapient maxim, however, I do not give him for the inventor. It ſeems to have been handed down by tradition, and to have been in ſome ſort proverbial; but whether then compoſed, or only applied, thus much muſt be admitted, that in learning, ſenſe, energy, and comprehenſiveneſs, it is fully equal to all the modern diſſertations on the equality of mankind; and it has one advantage over them,—that it is in rhyme.

There is no doubt, but that this great teacher of the rights of man decorated his diſcourſe on this valuable text, with lemmas, theorems, ſcholia, corollaries, and all the apparatus of ſcience, which was furniſhed in as great plenty and perfection out of the dogmatic and polemic magazines, the old horſe-armory, of the ſchoolmen, among whom the Rev. Dr. Ball was bred, as they can be ſupplied from the new arſenal at Hackney. It was no doubt diſpoſed with all the adjutancy of definition and diviſion, in which (I ſpeak it with ſubmiſſion) the old marſhals were as able as the modern martinets. Neither can we deny, that the philoſophic auditory, when they had once obtained this knowledge, could never return to their former ignorance; or after ſo inſtructive a lecture be in the ſame ſtate of mind as if they had never heard it *. But theſe poor people, who were not to be envied

* See the wiſe remark on this ſubject, in the Defence of Rights of Man, circulated by the ſocieties.

for their knowledge, but pitied for their deluſion, were not reaſoned (that was impoſſible) but beaten out of their lights. With their teacher they were delivered over to the lawyers; who wrote in their blood the ſtatutes of the land, as harſhly, and in the ſame ſort of ink, as they and their teachers had written the rights of man.

Our doctors of the day are not ſo fond of quoting the opinions of this antient ſage as they are of imitating his conduct; Firſt, becauſe it might appear, that they are not as great inventors as they would be thought; and next, becauſe, unfortunately for his fame, he was not ſucceſsful. It is a remark, liable to as few exceptions as any generality can be, that they who applaud proſperous folly, and adore triumphant guilt, have never been known to ſuccour or even to pity human weakneſs or offence when they become ſubject to human viciſſitude, and meet with puniſhment inſtead of obtaining power. Abating for their want of ſenſibility to the ſufferings of their aſſociates, they are not ſo much in the wrong: for madneſs and wickedneſs are things foul and deformed in themſelves; and ſtand in need of all the coverings and trappings of fortune to recommend them to the multitude. Nothing can be more loathſome in their naked nature.

Aberrations like theſe, whether antient or modern, unſucceſsful or proſperous, are things of paſſage. They furniſh no argument for ſuppoſing *a multitude told by the head to be the people*. Such a multitude can have no ſort of title to alter the ſeat of power in the ſociety, in which it ever ought to be the obedient, and not the ruling or preſiding part. What power may belong to the whole maſs, in which maſs, the natural *ariſtocracy*, or what by convention is appointed to repreſent and ſtrengthen it, acts in its proper place, with its proper weight, and without being ſubjected to violence, is

a deeper

a deeper queſtion. But in that caſe, and with that concurrence, I ſhould have much doubt whether any raſh or deſperate changes in the ſtate, ſuch as we have ſeen in France, could ever be effected.

I have ſaid, that in all political queſtions the conſequences of any aſſumed rights are of great moment in deciding upon their validity. In this point of view let us a little ſcrutinize the effects of a right in the mere majority of the inhabitants of any country of ſuperſeding and altering their government *at pleaſure*.

The ſum total of every people is compoſed of its units. Every individual muſt have a right to originate what afterwards is to become the act of the majority. Whatever he may lawfully originate, he may lawfully endeavour to accompliſh. He has a right therefore in his own particular to break the ties and engagement which bind him to the country in which he lives; and he has a right to make as many converts to his opinions, and to obtain as many aſſociates in his deſigns, as he can procure: For how can you know the diſpoſitions of the majority to deſtroy their government, but by tampering with ſome part of the body? You muſt begin by a ſecret conſpiracy, that you may end with a national confederation. The mere pleaſure of the beginner muſt be the ſole guide; ſince the mere pleaſure of others muſt be the ſole ultimate ſanction, as well as the ſole actuating principle in every part of the progreſs. Thus arbitrary will (the laſt corruption of ruling power) ſtep by ſtep, poiſons the heart of every citizen. If the undertaker fails, he has the misfortune of a rebel, but not the guilt. By ſuch doctrines, all love to our country, all pious veneration and attachment to its laws and cuſtoms, are obliterated from our minds; and nothing can reſult from this opinion, when grown into a principle, and

animated by diſcontent, ambition, or enthuſiaſm, but a ſeries of conſpiracies and ſeditions, ſometimes ruinous to their authors, always noxious to the ſtate. No ſenſe of duty can prevent any man from being a leader or a follower in ſuch enterprizes. Nothing reſtrains the tempter; nothing guards the tempted. Nor is the new ſtate, fabricated by ſuch arts, ſafer than the old. What can prevent the mere will of any perſon, who hopes to unite the wills of others to his own, from an attempt wholly to overturn it? It wants nothing but a diſpoſition to trouble the eſtabliſhed order, to give a title to the enterprize.

When you combine this principle of the right to change a fixed and tolerable conſtitution of things at pleaſure, with the theory and practice of the French aſſembly, the political, civil, and moral irregularity are if poſſible aggravated. The aſſembly have found another road, and a far more commodious, to the deſtruction of an old government, and the legitimate formation of a new one, than through the previous will of the majority of what they call the people. Get, ſay they, the poſſeſſion of power by any means you can into your hands; and then a ſubſequent conſent (what they call an *addreſs of adheſion*) makes your authority as much the act of the people as if they had conferred upon you originally that kind and degree of power, which, without their permiſſion, you had ſeized upon. This is to give a direct ſanction to fraud, hypocriſy, perjury, and the breach of the moſt ſacred truſts that can exiſt between man and man. What can ſound with ſuch horrid diſcordance in the moral ear, as this poſition, That a delegate with limited powers may break his ſworn engagements to his conſtituent, aſſume an authority, never committed to him, to alter all things at his pleaſure; and then, if he can perſuade a large number of men to flatter him

in

in the power he has uſurped, that he is abſolved in his own conſcience, and ought to ſtand acquitted in the eyes of mankind? On this ſcheme the maker of the experiment muſt begin with a determined perjury. That point is certain. He muſt take his chance for the expiatory addreſſes. This is to make the ſucceſs of villainy the ſtandard of innocence.

Without drawing on, therefore, very ſhocking conſequences, neither by previous conſent, nor by ſubſequent ratification of a *mere reckoned majority*, can any ſet of men attempt to diſſolve the ſtate at their pleaſure. To apply this to our preſent ſubject. When the ſeveral orders, in their ſeveral bailliages, had met in the year 1789, ſuch of them, I mean, as had met peaceably and conſtitutionally, to chooſe and to inſtruct their repreſentatives, ſo organized, and ſo acting, (becauſe they were organized and were acting according to the conventions which made them a people) they were the *people* of France. They had a legal and a natural capacity to be conſidered as that people. But obſerve, that whilſt they were in that ſtate, that is, whilſt they were a people, in no one of their inſtructions did they charge or even hint at any of thoſe things, which have drawn upon the uſurping aſſembly, and their adherents, the deteſtation of the rational and thinking part of mankind. I will venture to affirm, without the leaſt apprehenſion of being contradicted by any perſon who knows the then ſtate of France, that if any one of the changes were propoſed, which form the fundamental parts of their revolution, and compoſe its moſt diſtinguiſhing acts, it would not have had one vote in twenty thouſand in any order. Their inſtructions purported the direct contrary to all thoſe famous proceedings, which are defended as the acts of the people. Had ſuch proceedings been expected, the great probability is, that the people would then have riſen, as to a man, to prevent

them. The whole organization of the aſſembly was altered, the whole frame of the kingdom was changed, before theſe things could be done. It is long to tell, by what evil arts of the conſpirators, and by what extreme weakneſs and want of ſteadineſs in the lawful government, this equal uſurpation on the rights of the prince and people, having firſt cheated, and then offered violence to both, has been able to triumph, and to employ with ſucceſs the forged ſignature of an impriſoned ſovereign, and the ſpurious voice of dictated addreſſes, to a ſubſequent ratification of things that had never received any previous ſanction, general or particular, expreſſed or implied, from the nation (in whatever ſenſe that word is taken) or from any part of it.

After the weighty and reſpectable part of the people had been murdered, or driven by the menaces of murder from their houſes, or were diſperſed in exile into every country in Europe; after the ſoldiery had been debauched from their officers; after property had loſt its weight and conſideration, along with its ſecurity; after voluntary clubs and aſſociations of factious and unprincipled men were ſubſtituted in the place of all the legal corporations of the kingdom arbitrarily diſſolved; after freedom had been baniſhed from * thoſe popular meetings, whoſe ſole recommendation is freedom — After it had come to that paſs, that no diſſent dared to appear in any of them, but at the certain price of life; after even diſſent had been anticipated, and aſſaſſination was as quick as ſuſpicion; ſuch pretended ratification by addreſſes could be no act of what any lover of the people would chooſe to call by their name. It is that voice which every ſucceſsful uſurpation, as well as this before us, may eaſily procure, even without making (as theſe tyrants have

* The primary aſſemblies.

made)

made) donatives from the ſpoil of one part of the citizens to corrupt the other.

To cloſe all—The pretended *rights of man*, which have made this havock, cannot be the rights of the people. For to be a people, and to have theſe rights, are things incompatible. The one ſuppoſes the preſence, the other the abſence of a ſtate of civil ſociety. The reader has ſeen, that in this country at leaſt, our Whig anceſtors proceeded on no ſuch principles. The Whigs of this day have before them, in this Appeal, their conſtitutional anceſtors: They have the doctors of the modern ſchool. They will chooſe for themſelves. The author of the Reflections has choſen for himſelf. If a new order is coming on, and all the political opinions muſt paſs away as dreams, which our anceſtors have worſhipped as revelations, I ſay for him, that he would rather be the laſt (as certainly he is the leaſt) of that race of men, than the firſt and greateſt of thoſe who have coined to themſelves Whig principles from a French die, unknown to the impreſs of our fathers in the conſtitution.

FINIS.

BSB Bayerische StaatsBibliothek
MDZ Münchener DigitalisierungsZentrum Digitale Bibliothek

An appeal from the new to the old Whigs, in consequence of some late discussions in Parliament, relative to the reflections on the French Revolution

London 1791

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